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TIME

Busybodies & Crybabies

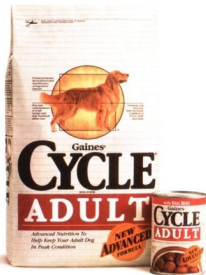
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happening
to the
American
character?**



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THE WEEKLY NEWSMAGAZINE

COVER STORY

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America's New Pests

Are neo-Puritan zealots and all-purpose victims deforming the American character?

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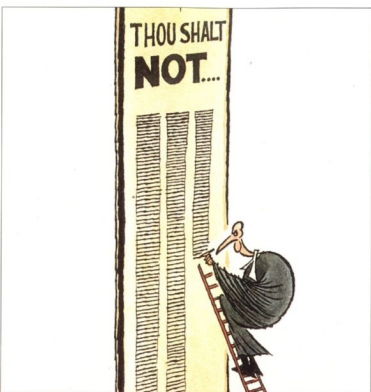
Europe's Racism As the ethnic mix changes, some countries are discovering that they are not as tolerant as they thought

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44 / UNDERUSED TECHNOLOGY

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LETTERS

THE COLORADO

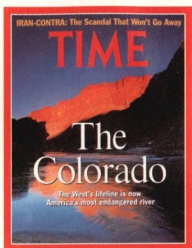
"We have not been able to control our insatiable desire for water."

*Roland Kulen
New York City*

The threat to the survival of the Colorado River [NATION, July 22] is merely the latest disastrous effect of unbridled economic growth nationwide. How many more Colorado Rivers will it take before we see the error of our ways?

*Frank J. Rura
Ellicott City, Md.*

Farmers are learning to conserve water, leaving more for urban users. But farmers rightly insist on compensation for their loss of property rights from an urbanizing society that seems hell-bent on taking water and giving it away while munching



on the goodies it provides. Perhaps the Western spirit of rugged individualism is the reason so many Americans make the Southwest their destination, but the population has become swollen with Easterners who cannot seem to accept the fact that they live in a desert.

*James C. Wade
Department of Agricultural Economics
University of Arizona
Tucson*

Water prices in the West are wild—even wilder than you reported. Some farmers get their (untreated) water for as little as \$40 an acre-foot, far lower than your estimate of \$400. Compare this with \$2,000 an acre-foot for Santa Barbara's planned supply of desalted ocean water. Our research shows that one thing holds universally true: it is cheaper to save water than to tap new supplies. Municipal water efficiency (better toilets, showerheads, etc.) can result in water for \$200 an acre-foot. Saving money by conserving water can help keep the wildness in our rivers and out of our water prices.

*Jim Dyer, Director
Andrew Jones, Research Associate
Water Program, Rocky Mountain Institute
Snowmass, Colo.*

A National Student Exam?

"To test" does not mean "to teach." It is ironic how much money is spent on researching, creating, administering and scoring a standardized test for our students [EDUCATION, July 15]. Just think of what the money could do if it were spent on actually educating young people. Standardized testing is a waste of instructional time that could be used for learning.

*Anne E. Stewart
Fort Worth*

As you turn the wheel of a Prelude Si with 4WS, all four wheels respond. Without hesitation,

We know from past tests that our students lack knowledge in virtually every area. How can confirming this fact with yet another test help develop ways to add to their knowledge?

Henry M. Willis
Albuquerque

Nasty Words

In describing the popularity of the latest album by the rap group N.W.A. (*Niggaz with Attitude*), we noted several raunchy song titles and reproduced some of their vulgar lyrics (*Music*, July 11). A few readers were upset by this. Publicizing the lyrics makes us part of the act, wrote one. The news in this story, we thought,

was that such obscene material could soar to the top of the sales charts. Yet we knew that the rawness of the lyrics was likely to offend readers. The story went through

several revisions in an attempt to strike the right balance. We're sorry if some people were put off by the final version, but you really don't want to know what we left out.



LETTERS

Correction

In our cover story on the scandal surrounding the Bank of Credit & Commerce International, "The World's Sleaziest Bank" [*BUSINESS*, July 29], we quoted a Justice Department spokesman, Dan Eramian, as saying "We believe there has been good cooperation between law-enforcement [agencies] in this investigation. We're often accused of dragging our feet, and part of that we believe is partisan in nature." This statement was made, in fact, by another Justice Department spokesman, Doug Tillett. We regret the error.

Gathering of Peaceable Wanderers

Thank you for the fairest treatment of the Rainbow People I've seen in the establishment media [*LIVING*, July 15]. Nevertheless, you paid only slight attention to the fact that the annual assemblies like this year's in Vermont are sanctioned by the strong arm of the law, which invariably harasses the gentle attendees as they approach the meeting place. Each year the pilgrims must risk fines, imprisonment and beatings in order to exercise their constitutionally guaranteed right to assemble for prayer and to live for peace and healing.

Art Dewar
Smyma, Ga.

I am sure I am not the only Vermonter who is glad to see the Rainbows leave our state. They say they embrace the earth as environmentalists, but they polluted the White River with excrement, trampled fragile national-forest land and clogged scenic back roads for miles. I question your coverage of a bunch of hippies who never grew out of the '60s. All in all, they seem to be an embarrassment.

Charlie Reeves
Woodstock, Vt.

LETTERS TO THE EDITOR should be addressed to:

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Fax number: (212) 522-0808

Letters should include the writer's full name, address and home telephone, and may be edited for purposes of clarity or space.

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INTERVIEW

Nothing Is Ever Simply Black and White

Outspoken author **SHELBY STEELE** defends Clarence Thomas and argues that too many African Americans see themselves as victims

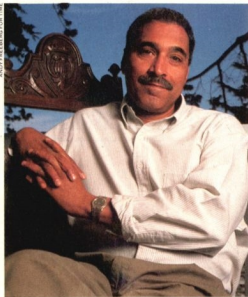
By **SYLVESTER MONROE** MONTEREY

Q. Why are so many African Americans concerned about Clarence Thomas' nomination to the Supreme Court?

A. On the deepest level, he touches the very soul of the debate in black America, which is a debate between using the

A. Clarence Thomas is considered a conservative today because of the context, and the context is that for the past 25 years civil rights organizations have focused one-dimensionally on our oppression and demanded redress based on that. Well, here comes a man in 1991 who stands for self-help, and so he is anathema. The principle

"I don't say racial preferences have never done a bit of good for anybody. All I've tried to do is point out the down side and that we've probably come to the point where they are doing more harm than good."



principle of self-sufficiency as a means to power as opposed to using our history of victimization. We have taken our power from our history of victimization, which gave us an enormous moral authority and brought social reforms, to the neglect of self-reliance and individual initiative. And now, any time you talk about self-reliance in relation to black problems, you are automatically considered a conservative.

Q. You don't consider yourself a conservative?

A. No. I think of myself more as a classical liberal. I focus on freedom, on the sacredness of the individual, the power to be found in the individual.

Q. But other black thinkers from Booker T. Washington to Malcolm X to Jesse Jackson have preached self-reliance, and nobody called them conservatives.

of self-reliance seems to devalue victimization as a source of power. I don't think it necessarily does, but it seems to. And so Thomas seems to be against the interests of black people merely by standing for self-reliance. He's not remotely anti-black. He's just asking that we develop another source of power.

Q. You have said that you are against preferential treatment, not affirmative action per se. But the widespread perception is that you are anti-affirmative action, and so is Clarence Thomas.

A. What I've tried to say, and I think Clarence Thomas stands for pretty much the same thing, is that by opposing racial preferences we stand for black strength rather than weakness. The thing that disturbs me about affirmative action, about preferences, is that they can and will be taken away. They will diminish over time.

And in the interim they encourage us to believe that redress is our power. I don't take any simpleminded black-and-white view and say racial preferences have never done a bit of good for anybody. All I've tried to do is point out the down side and that we've probably come to the point where they are doing more harm than good.

Q. Are you letting white people off the hook?

A. I don't mean in any way to let white people off the hook. I think as American citizens, they have a profound responsibility to black Americans. I favor every form of affirmative action except preferences. I favor the government improving the education system in the inner cities. I favor programs that go down to the teenage mother and try to break that cycle of poverty by teaching her parenting skills.

The most important thing that people who have been victimized can understand, whether it is fair or unfair, and it certainly is not fair, is that change will have to come from themselves. Thomas and I are not hardhearted people who are simply saying, "Get up off your butt, pull yourself up by your bootstraps." We need government intervention to help us. But we've also got to help ourselves. Opportunity follows struggle. It follows effort. It follows hard work. It doesn't come before.

Q. You once said that liberals are no friends of blacks. What did you mean?

A. Watch out that your closest friend may be your greatest enemy, is my feeling about liberals, because they encourage us to identify with our victimization. It is one thing to be victimized; it is another to make an identity out of it. I am not willing to be a boy because I am inferior, and I am not going to be a boy because I am a victim. I reject both avenues to being a boy. The one thing a white liberal can never do with a black is be honest and tell him what he tells his own children.

Q. Which is what?

A. Which is that you have to work hard and your life in many ways will reflect the amount of effort you put into it. They teach that every day to their own children, but then they come out in public and talk about blacks as just victims who need redress. This is racial exploitation by white liberals, who transform this into their own source of power. We're being had by them, and we really need to know that.

Liberals are screaming for racial preferences. But as soon as they give you the preference, they hold it against you. "Hey, you were helped by affirmative action," they say about Clarence Thomas. "You wouldn't be where you are if it was not for affirmative action." That's one reason I have a problem with preferences. How can he win? He can't.

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*Definition of "risk of drowsiness" is incidence greater than placebo (a sugar pill).

†The reported incidence of drowsiness with Seldane (5.8%) in clinical studies involving more than 11,000 patients did not differ significantly from that reported in patients receiving placebo (5.9%).

‡Based upon worldwide prescription and distribution information (1986-1990)—data on file, Marion Merrell Dow Inc.

SEE BRIEF SUMMARY OF PRESCRIBING INFORMATION ON NEXT PAGE.

Stidanc
cortisone 60 mg Tablet

BRIEF SUMMARY

CAUTION: Federal law prohibits dispensing without prescription.

DESCRIPTION

Scizane (terfenadine) is available as tablets for oral administration. Each tablet contains 60 mg terfenadine. Tablets also contain, as inactive ingredients, corn starch, gelatin, lactose, magnesium stearate, and sodium bicarbonate.

INDICATIONS AND USAGE

Seidene is indicated for the relief of symptoms associated with seasonal allergic rhinitis such as sneezing, rhinorrhea, pruritus, and lacrimation.

Seidane is contraindicated in patients with a known hypersensitivity to terfenadine or any of its ingredients.

PRECAUTIONS
General: Terfenadine undergoes extensive metabolism in the liver. Patients with impaired hepatic function (alcoholic cirrhosis, hepatitis) or on ketoconazole or triazole antifungal therapy or having conditions leading to QT prolongation (eg, hypokalemia, congenital QT syndrome) may experience QT prolongation and/or ventricular tachycardia at the recommended dose. The effect of terfenadine in patients who are receiving agents which alter the QT interval is not known. These events have also occurred in patients on macrolide antibiotics, including erythromycin, but causality is unclear. The events may be related to altered

information for patients. Patients taking Seidane should receive the following information and instructions. Antihistamines are prescribed to reduce allergic symptoms. Patients should be questioned about pregnancy or lactation before starting Seidane therapy since the drug should be used in pregnancy or lactation only if the potential benefit justifies the potential risk to fetus or baby. Patients should be instructed to take Seidane only as needed and not to exceed the prescribed dose. Patients should also be instructed to store this medication in a tightly closed container in a cool, dry place, away from heat or direct sunlight, and away from children.

Drug Interactions: Preliminary evidence exists that concurrent ketoconazole or macrolide administration significantly alters the metabolism of terfenadine. Concurrent use of Seldane with ketoconazole or itraconazole is not recommended. Concurrent use of other macrolides should be approached with caution.

Cardiogenesis, mutagenesis, impairment of fertility: Oral doses of terfenadine, corresponding to 53 times the recommended human daily dose, in mice for 18 months or in rats for 24 months, revealed no evidence of tumorigenicity. Microbial and micronucleus test assays with terfenadine have revealed no evidence of mutagenesis.

Reproduction and fertility studies in rats showed no effects on male or female fertility at oral doses of up to 21 times the human daily dose. At 63 times the human daily dose there was a small but significant reduction in implants and at 125 times the human daily dose reduced implants and increased postimplantation losses were observed, which were judged to be secondary to maternal

Pregnancy Category C: There was no evidence of animal teratogenicity. Reproduction studies have been performed in rats at doses 63 times and 125 times the human daily dose and have revealed decreased pup weight gain and survival when terfenadine was administered throughout pregnancy and lactation. There are no adequate and well-controlled studies in pregnant women. Sedlants should be used during pregnancy only if the potential benefit justifies the potential risk to the fetus.

Nonteratogenic effects: Sedrane is not recommended for nursing women. The drug has caused decreased pup weight gain and survival in rats given doses 63 times and 125 times the human daily dose throughout pregnancy and lactation. Effects on pups exposed to Sedrane only during lactation are not known, and there are no adequate and well-controlled studies in women during lactation.

Pediatric use: Safety and effectiveness of Sedrane in children below the age of 12 years have not been established.

ADVERSE REACTIONS

ADVERSE REACTIONS
Experience from clinical studies, including both controlled and uncontrolled studies involving more than 2 400 patients who received Seldane, provides information on adverse experience incidence for periods of a few days up to six months. The usual dose in these studies was 60 mg twice daily but in a small number of patients, the dose was as low as 20 mg twice a day or as high as 600 mg daily.

In controlled clinical studies using the recommended dose of 60 mg b.i.d., the incidence of reported adverse effects in patients receiving Seidane was similar to that reported in patients receiving placebo. (See Table below.)

ADVANCED SEARCHES REPORTED IN CLINICAL TRIALS

ADVERSE EVENTS REPORTED IN CLINICAL TRIALS					
Adverse Event	Percent of Patients Reporting				
	Controlled Studies ^a (N=781)	Controlled Studies ^a (N=865)	Controlled Studies ^a (N=420) ^b	Uncontrolled Studies ^b (N=2452)	
Central Nervous System					
Drowsiness	9.0	8.1	10.1	8.5	
Headache	6.3	4.4	7.1	6.6	
Fatigue	7.9	0.9	5.0	4.5	
Nausea	1.1	1.0	1.0	1.0	
Neuropathies	0.9	0.2	0.6	1.7	
Weakness	0.5	0.6	0.2	0.2	
Anxiety	0.6	0.0	0.5	0.0	
Gastrointestinal System					
Gastrointestinal Disorders (colorectal disorders)					
Constipation	4.6	3.0	2.7	7.6	
Change in Bowel Habits					
Bowel Loss or Urgency	2.3	1.8	3.5	4.8	
Dry Mouth/Throat	2.3	0.3	0.3	1.4	
Stomach and Throat	0.9	0.3	0.3	1.2	
Soft Stools	0.3	0.3	0.3	1.7	
Erythema	0.3	0.0	0.2	0.7	
Diarrhea	0.3	0.0	0.0	0.0	
Esophagitis (including upper GI)	1.0	1.7	1.4	1.6	

***CONTROL DRUGS: Chlorpheniramine (291 patients) d Chlorpheniramine (169 patients); Demastine (146 patients)

Rare reports of severe cardiovascular adverse effects have been received which include arrhythmias (ventricular tachycardia, torsades de pointes, ventricu-

In elderly patients, hypotension, palpitations, and syncope in controlled clinical trials in otherwise normal patients with rheinitis, at doses of 60 mg bid, small increases in QTc interval were observed. Changes of this magnitude in a normal population are of doubtful clinical significance. However, in another study [9-20 patients] at 300 mg bid, a mean increase in QTc of 32% range -4% to 87% was seen; mean increase in heart rate was 10%. In addition, there have been reports of a statistically significant more frequent side effects reported in clinical trials (see Table). Adverse effects have been reported at a lower incidence in clinical trials and/or spontaneously during marketing of Seizane that warrant listing as possibly associated with drug administration. These include: alopecia (hair loss or thinning), arthralgia, angioedema, bronchospasm, confusion, depression, gastric reflux, headache, menstrual disorders, myalgia, numbness, dyspareunia, rash, sinus tachycardia, taste disturbance, urinary frequency, prostatic dysfunction, dry mouth, dizziness, swelling, increased uric acid excretion, and vision changes.

In clinical trials, several instances of mild, or in one case, moderate transaminase elevations were seen in patients receiving Seldane. Mild elevations were also seen in placebo-treated patients. Marketing experiences include isolated reports of jaundice, cholestatic hepatitis, and hepatitis. In most cases available

1. **Integration & Impact**
 2. **Conclusion**

OVERDOSAGE
Information concerning possible overdose and its treatment appears in Full Prescribing Information.

DOSEAGE AND ADMINISTRATION
One tablet (60 mg) twice daily for adults and children 12 years and older.

Product Information as of July, 1990
MARION MERRELL DOW INC.
Executive Products Division

Prescription Products Division
Kansas City, MO 64114

INTERVIEW

Q. How much impact does racism have on the lives of black Americans?

A: I think being lower class has a much greater impact. You and I both know, as a middle-class black you can send your kid to any school you want. But if you and I were on the South Side of Chicago and not doing very well economically, then clearly you would not be able to send your kid to whatever school you wanted. At this point, class, poverty and isolation are far more difficult variables for blacks than racism. That does not mean racism is gone; I think you'll meet it wherever you go. But it does not have the power to contain your life that it used to have.

Q. According to you, there is a great deal of opportunity that blacks are simply not taking advantage of. Many blacks disagree with you.

A. It depends on how you define opportunity. I don't see opportunity in a one-dimensional sense as something that is simply there either waiting or not waiting for somebody to come and grab it. I think of opportunity as something that one creates, that you generate opportunities for yourself.

A Jewish woman told my brother something I think is absolutely vital for black people to understand. It was a simple phrase: "Don't wait for people to love you." We are too preoccupied with whether white people love us or not, whether they are racist or not, what they think about the color of our skin or the texture of our hair. Who cares? We have to go forward and make our own opportunities.

Q. You've told me that you admired your father and that he saved your life, taking you to the YMCA when other black parents said it was too far to go or too expensive. Clarence Thomas talks much the same way about his grandfather. How do you duplicate that experience for less fortunate blacks?

A. This is one of the heartbreaking things about the politics of victimization. We have always had the tradition of self-reliance in the black community, but this tradition gets squashed because it conflicts with victimization. We think we are here because of affirmative action, but we are not. We are here because of those people who let us get into a position to be able to take advantage of what society was trying to do for us. But this victimology causes us to denounce as a race our greatest source of strength, which is people like that, who ought to be held up as role models.

Clarence Thomas ought to be held up as a role model. But no, we say, he made it by himself too much. He's not a victim. We don't want him.

Q. But one major criticism of Thomas is that he thinks he *did* make it all by himself.

A. This is the shortsightedness of victimology. You're goddam right he made it by

himself. Now you are going to take that away from him and say he made it because of affirmative action. He didn't have affirmative action back there in Pin Point, Ga. His grandfather made him go to school and study hard, and then he gets into the position where, yes, maybe he could benefit. But if all that early work had not been done, we wouldn't know Clarence Thomas today.

Q. What are you telling young blacks?

A. The most important thing for young black people to do is what you and I did—become educated. If you are educated, then at least you have some kind of chance. Learn to think, to read, to be in touch with the larger world. One of the saddest things I see is black students who say to me, "I only read black writers." And what they really mean is they are reading people like Don L. Lee and Louis Farrakhan. I say: Have you ever read any Jean-Paul Sartre? Have you ever read any Ralph Ellison or Albert Murray or James Baldwin? Nope. But they read Don L. Lee's tract on what a black man should be, as though this is different from what any man should be. And so there's this sort of intellectual segregation that I think is absolutely a death knell for our future.

Q. Many blacks accuse you of allowing yourself to be used by white neoconservatives, who are no longer willing to deal with the problems of race and poverty.

A. Some of them do use me, and I think some of them do not have the best interests of black Americans at heart. But if everybody is hip enough to ask me this question, then my use to the neoconservatives is neutralized.

In many ways, the fear that I'm being used by neoconservatives reflects a paranoia that has always been part of black life, and it is part of the life of any oppressed group, a paranoia about what you say in front of the Man because he'll use it against you. One of the things I stand for more deeply than anything else is that I do not see the white man as all that powerful, all that smart. Blacks really need to begin to understand that these people do not control our fate as much we think they do.

Q. What has this debate and being labeled a black conservative done to Shelby Steele?

A. It has put a lot of stress on me. It's not fun to be labeled when you know that it's very shortsighted. On the other hand, overall I am very, very happy because I think the terms of the debate have been really opened up. I don't think things will ever be the same again. And I think Clarence Thomas' nomination drives that nail home. There will now forever more be diversity of opinion in the black community. People will think about these things a great deal more than they did when we were a sort of one-party system. I feel very good about that.

Q=

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GRAPEVINE

By DAVID ELLIS / Reported by Daniel S. Levy

NO, THANKS, I'LL STICK WITH COFFEE

Attention, Washington politicians: appearing on all those network morning news programs could be hazardous to your health. **ARLEN SPECTER**, the Republican Senator from Pennsylvania, complained of chest pains one recent morning after returning from a *Good Morning America* interview. A cautious medical team, fearing the worst, rushed the Senator to Bethesda National Naval Medical Center for an overnight series of tests. Result: he was suffering from a simple case of food poisoning. The recovered Republican told *Roll Call*, the Capitol Hill newspaper, that the sweet roll he ate at the ABC studios was to blame for the sudden attack.



Specter: Time to diet?

GEE, WE DIDN'T KNOW WHAT WE WERE DOING

Some of the nation's leading officeholders are alleging that they've been ripped off by the television industry. An Atlanta lawyer is leading the legal charge against local stations in several cities, citing complaints by 49 politicians from 11 states about the \$95 million they spent on campaign commercials from 1986 to 1990. Democrats and Republicans alike claim that local outlets regularly overcharged them for "fixed spots," needlessly reserving specific time periods for their commercials when cheaper "pre-emptible" slots were available. Governors Ann Richards of Texas, Lawton Chiles of Florida and Pete Wilson of California have joined the action, with candidates naming business inexperience as one reason they were fleeced. But what does that say about their ability to balance state budgets?



Richards bought retail

JAMMING AGAINST THE TIDE

The ad in *Billboard* certainly was mysterious: the simple, unexplained declaration "Keep Music Evil" on last week's front page raised more than a few eyebrows. The slogan represents the philosophy of the **FATIMA MANSIONS**, an Irish band that has just released its U.S. debut disk *Viva Dead Ponies*. According to lead singer Cathal Coughlan, the group hopes to capture rock's old outlaw image by overthrowing the sugar-coated commercialism prevalent on the pop charts today. To promote that "mission," the album dissects a British society rife with "squalid poverty where the poor prey on the even poorer," says Coughlan. Included on the album are the songs *Ceausescu Flashback*; *Look What I Stole for Us, Darling*; and *More Smack, Vicar*.

VOX POP

Should gays and lesbians be banned from the military?

Yes **35%** No **58%**

Some gay activists have undertaken a campaign of "outing"—exposing well-known people who are believed to be gay. Is this right?

Yes **15%** No **72%**

From a telephone poll of 1,000 American adults taken for TIME/OWN on July 17-18 by Fairhead/Claudio Shuman. Sampling error is plus or minus 3%. "Not sure" omitted.

KEEP MUSIC EVIL

Pee-wee Herman Awards

The Saturday-morning-TV star's arrest in a Florida porno-movie theater is reminiscent of some other famous figures who have been caught in shaming situations:

NAKED HOLLYWOOD. Rob Lowe's X-rated cavorting in an Atlanta hotel room became his greatest starring role and provided yet another reason for the Democrats to forget the 1988 convention.



A SHINING EXAMPLE. Doug Danziger, Fort Lauderdale's conservative vice mayor who has crusaded against college students on spring break, topless bars and adult bookstores, resigned last week after his name allegedly turned up on the client list of a woman who says she tried to cure her nymphomania by having sex with different men.

THE ROYAL STUD (I). Major Ronald Ferguson, the father of the Duchess of York ("Fergie") and a polo-playing chum of

Prince Charles' was revealed to be a loyal member of a London "health" club specializing in massage and sex.

THE ROYAL STUD (II). Fergie's husband Prince Andrew received some unwelcome publicity four weeks ago when a 1983 full-frontal nude photo snapped by a friend was published in an English tabloid.



LOW AND OUTSIDE. New York Yankees superstar Don Mattingly was arrested for indecent conduct in 1985 for urinating in public after leaving a Kansas City restaurant. Two days later police hauled in Mattingly's teammate Dale Berra for doing the same thing in the same area.

DANNY'S BOY. Last month former Partridge Family star Danny Bonaduce agreed to a plea-bargain arrangement on charges that he beat and robbed Darius Barney, a Phoenix transvestite prostitute, after a sex act. Bonaduce must pay up to \$3,000 in medical costs for the victim's reconstructive surgery.



FROM THE PUBLISHER

Among aspiring writers and reporters, an internship at TIME is prized as one of the best summer jobs in journalism. Each year hundreds of college juniors at 40 participating schools compete for a chance to spend nine weeks in the Time & Life Building watching how we practice our editorial skills and trying their hands at big-time journalism. "It's an incredible opportunity," says Minal Hajratwala, a communication major at Stanford University whose reporting on stories about plagiarism, Protestant superchurches and the resignation of Stanford President Donald Kennedy earned her three bylines in the magazine.

But as even the most casual readers of the financial press know, there is more going on at Time Warner than reporting and writing, and this year a larger group of graduate and undergraduate students were invited as summer interns to learn about the business side of magazine publishing. "It was an exciting time to be here," says David Geithner, an M.B.A. candidate at the J.L. Kellogg Graduate School of Management who put his experience in investment banking to work analyzing the effectiveness of our advertising rates in today's uncertain economic climate.

Alan Miles, a Harvard M.B.A. student who interned in the circulation department, was surprised by how many reports he had to turn out. "This is a very memo-driven company," he observed. Columbia graduate student Sallie Binnie, who regularly put in 11-hour days in our business office, did not expect the pace to be quite so hectic. "I kept waiting for that three-martini lunch," she says. "But it never showed up."

Things kept hopping for the editorial interns as well. In his first week as a reporter-researcher, Amherst's Bryant Rousseau called a factory near Prague to get some weapon prices and



Summer interns Amstutz, Rousseau, Frederica Bradford, Kip Meyer, Geithner, Binnie, Michelle Freyre, Hajratwala and Miles

**"I kept waiting for
that three-martini lunch.
But it never showed up."**

tracked a British arms expert to his home in Upton-upon-Severn. Ronald Amstutz, a photography major at the Rochester Institute of Technology, was made responsible for illustrating the World Notes page and spent much of the summer scrambling to gather pictures from around the globe. One of his final duties: assigning a photographer, picking a site and getting his fellow interns to Brooklyn for the picture that appears on this page.


Edward P. Vick



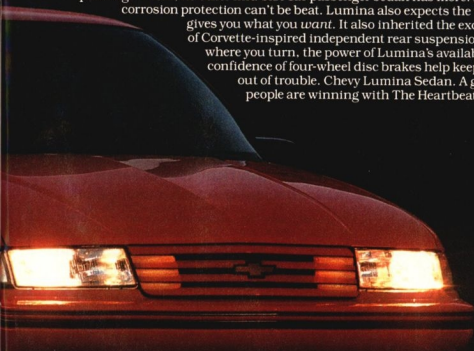
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Nation

TIME/AUGUST 12, 1991

COVER STORIES

A Nation of Finger Pointers

Twin malformations are cropping up in the American character: a nasty intolerance and a desire to blame everyone else for everything

By LANCE MORROW

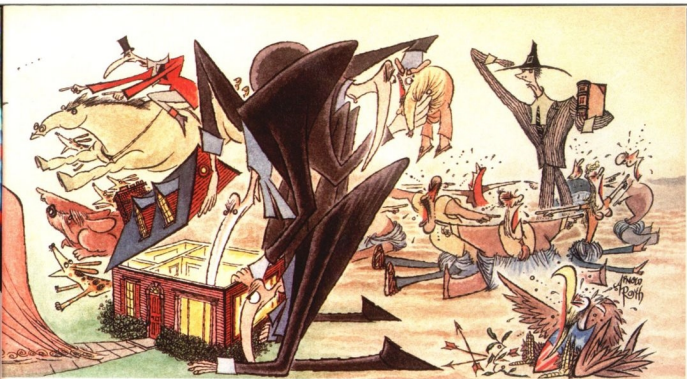
The busybody and the crybaby are getting to be the most conspicuous children on the American playground.

The busybody is the bully with the ayatullah shine in his eyes, gauleiter of correctness, who barges around telling the other kids that they cannot smoke, be fat, drink booze, wear furs, eat meat or otherwise nonconform to the new tribal rules now taking shape.

The crybaby, on the other hand, is the abject, manipulative little devil with the lawyer and, so to speak, the actionable diaper rash. He is a mayor of Washington, arrested (and captured on videotape) as he smokes crack in a hotel room with a woman not his wife. He pronounces himself a victim—of the woman, of white injustice, of the universe. Whatever.

Both these types, the one overactive and the other overpassive, are fashioning some odd new malformations of American character. The busybodies have begun to infect American society with a nasty intolerance—a zeal to police the private lives of others and hammer them into standard forms. In Freudian terms, the busybodies might be the superego of the American personality, the overbearing wardens. The crybabies are the messy id, all blubbering need and a virtually infantile irresponsibility. Hard pressed in between is the ego that is supposed to be healthy, tolerant and intelligent. It all adds up to what the *Economist* perceptively calls “a decadent puritanism within America: an odd combination of ducking responsibility and telling everyone else what to do.”

Zealotry of either kind—the puritan's need to regiment oth-



ers or the victim's passion for blaming everyone except himself—tends to produce a depressing civic stupidity. Each trait has about it the immobility of addiction. Victims become addicted to being victims: they derive identity, innocence and a kind of devious power from sheer, defaulting helplessness. On the other side, the candlesnuffers of behavioral and political correctness enact their paradox, accomplishing intolerance in the name of tolerance, regimentation in the name of betterment.

The spectacle of the two moral defectives of the schoolyard jumping up and down on the social contract is evidence that America is not entirely a society of grownups. A drama in Encino, Calif.: a lawyer named Kenneth Shild built a basketball court in his yard, 60 feet from the bedroom window of a neighbor, Michael Rubin, also a lawyer. The bouncing of the basketball produced a "percussion noise that was highly annoying," according to Rubin, who asked Shild and his son to stop playing. Shild refused, and Rubin, knowing that his rights allowed him to take action to stop a nuisance, sprayed water from his garden hose onto the neighbor's basketball court. Suit and countersuit. Rubin's restraining order limiting the hours of the day during which the Shilds could play was overturned by an appeals-court judge. Each side seeks more than \$100,000 in punitive damages. Shild argues mental stress. Rubin claims that his property has been devalued.

Fish gotta swim. Locusts devour the countryside. Lawyers sue. For all the American plague of overlitigation, lawyers also act as a kind of priesthood in the rituals of American faith. Most religions preach a philosophical endurance of the imperfections of the world. Suffering must be borne. Americans did not come to the New World to live like that. They operate on a pushy, querulous assumption of perfectibility on earth ("the pursuit of happiness"—their own personal happiness). That expectation, which can make Americans charming and unreasonable and shallow, is part of their formula for success. But it has led Americans into absurdities and discontents that others who know life better might never think of. The frontiersman's self-sufficiency and stoicism in the face of pain belong now in some wax museum of lost American self-images.

Each approach, that of busybody or crybaby, is selfish, and each poisons the sense of common cause. The sheer stupidity of each seeps into public discourse and politics. *Idiot* in the original Greek meant someone who cared nothing for issues of public life. The pollster Peter Hart asked some young people in a focus group to name qualities that make America special. Silence. Then one young man said, "Cable TV." Asked how to encourage more young people to vote, a young woman replied, "Pay them."

In her book *Rights Talk*, Mary Ann Glendon of Harvard Law School argues that the nation's legal language on rights is highly developed, but the language of responsibility is meager: "A tendency to frame nearly every social controversy in terms of a clash of rights (a woman's right to her own body vs. a fetus's right to life) impedes compromise, mutual understanding, and the discovery of common ground."

But of course deciding about abortion is not easy. Compromise and common ground are difficult to find on many issues. The American social contract is fluid, rapidly changing, postmodernist, just as the American game and culture pool is turbulently new every day. Life improves rich dilemmas, but they fly by like commercial breaks, hallucinatory, riveting, half-noticed. What is the moral authority behind a social contract so vivid and illegible? Only the zealously asserted styles of the new tribes (do this, don't do this, look a certain way, think a certain way, and that will make you all right).

When old coherences break down, civilities and tolerances fall away as well. So does an ideal of self-reliance and inner autonomy and responsibility. The new tribes, strident and anxious and dogmatic, push forward to impose a new order. Yet they seem curiously faddish, unserious: youth culture unites with hypochondria and a childish sense of entitlement. Long ago, Carry Nation actually thought the U.S. would be better off if everyone stopped drinking. The busybodies today worry not about their society but about themselves—they imagine that they would be beautiful and virtuous and live forever, if only you would put out that cigar. ■



EXCULPATIONS

Crybabies: Eternal Victims

Hypersensitivity and special pleading are making a travesty of the virtues that used to be known as individual responsibility and common sense

By **JESSE BIRNBAUM**

Some folks just can't get along. There, in a grocery store in suburban Portland, Ore., was cashier Tom Morgan, more or less minding his own business. And there also was cashier Randy Maresh, who seemed to delight in tormenting Morgan. At length Morgan got fed up, hired a lawyer and sued Maresh for \$100,000 in damages. The complaint: Maresh "willfully and maliciously inflicted severe mental stress and humiliation . . . by continually, intentionally and repeatedly passing gas directed at the plaintiff." Not only that: Maresh would "hold it and walk funny to get to me" before expressing himself.

The defense countered with the argument that breaking wind is a form of free speech, and that the right to flatulence was protected, in theory if not in so many words, by the First Amendment. After lis-

tening patiently to both sides, the judge concluded that the unusual form of aggressive expression was "juvenile and boorish," but he could find no Oregon law prohibiting it. Case dismissed.

That happened in 1987, and the tide of petty American litigiousness has kept on rising to new, absurd heights. This is the age of the self-tort crybaby, to whom some disappointment—a slur, the loss of a job, an errant spouse, a foul-tasting can of beer, a slip on the supermarket floor, an unbemoaning face-lift—is sufficient occasion to claim huge monetary awards.

It is also the age of the all-purpose victim: the individual or group whose plight, condition or even momentary setback is not a matter that needs to be solved by individual effort but constitutes a social problem in itself. "We're not to blame, we're victims" is the increasingly assertive rallying cry of groups who see the American

dream not as striving fulfilled but as unachieved entitlement. Crybabyhood is all blame, no pain, for gain. And all too often it works.

The law courts are only one of the crybaby's many avenues of complaint; there is the street, the pulpit, the press. Public officials, writers, children in school—all nowadays hide behind euphemisms that are often silly, not to say condescending, lest they be castigated by the crybaby for even the most inadvertent slip or imagined insult to this race or that ethnic group. They are fleeing, in other words, before the crybaby's greatest talent: the ability to hand out guilt, frequently entangled in the sacred American discourse on rights. If drunk drivers get into trouble, they have the right to blame their bar owners, and in most states that right is backed up by law. If black moviemaker Spike Lee fails to win first prize at the Cannes Film Festival

for his *Do the Right Thing*, the reason is not that the judges deemed sex, lies and videotape the best movie; the reason is racism.

So widespread is this sort of disaffection, says author John Taylor in a sizzling *New York* magazine article, that a double-barreled social phenomenon now threatens the real exercise of civil liberties. The first barrel is "victimology." The other is what George Washington University sociologist Amitai Etzioni calls the "rights industry"—the creation by individuals and special-interest groups of freshly minted freedoms and prerogatives that must be upheld even when they are foolishly asserted, and whose transgression is—always—a matter for outcry.

Just about everybody can claim a position in the rights brigade: those who smoke and those who don't; those who demand shelter for the homeless and those who support the right of the homeless to refuse shelter; those who claim rights for fetuses and those who want the right to make their own choice for abortion; those who want their teenagers taught to use condoms and those who insist on the right to keep their kids ignorant of such things; campus hoodlums who insult their fellow students and college administrators who promulgate censorious "rules of conduct" to prevent their students from giving offense to this or that ethnic group, sexual preference, or body type. Their "rights" give their claims—whatever they may be—an absolute air, and any attempt to thwart their claims turns them into victims.

Under the corrosive influence of victimology, the principle of individual responsibility for one's own actions, once a vaunted American virtue, seems like a relic. "I have this image," says Roger Conner, executive director of Washington's liberal American Alliance for Rights & Responsibilities, "of human beings as porcupines, with rights as their quills. When the quills are activated, people can't touch each other." That touchiness, Conner adds, "is the visible fruit of the rise of self-absorbed individualism" over the past several decades. "The *R* word in our language is responsibility, and it has dropped from the policy dialogue in America. A society can't operate if everyone has rights and no one has responsibilities."

Public affairs professor William Galston of the University of Maryland says the practice of blaming others stems from unrealistic expectations of the modern, risk-avoiding age. "If something bad happens to us," he says, "we are outraged because our lives are supposed to be perfect. Two generations ago, if infants were born with birth defects, it was considered an act of God or an act of nature. Today if the baby is not absolutely perfect, the tendency is to believe the doctor is responsible. We've created a set of social expectations and a legal structure in which the blame game can be played as never before."

The combined result of those trends is to make a travesty of what used to be called plain common sense. To be sure, charlatanism and dishonesty exist, and their victims deserve the law's protection. Yes, bigotry is inexcusable, and those who suffer by it, as well as others, are right to oppose it, backed by the full weight of law. Certainly job discrimination on the basis of sex, age or disability is not only morally unconscionable but illegal.

But what to think, for example, about the new area of litigious behavior that has blossomed and might be dubbed emotional tort law? Last March Julie Rems, 26, who is deaf, competed in the early rounds of a Miss America contest in Culver City, Calif. Though she was warned that Miss America rules precluded anyone assisting her onstage, Rems nonetheless brought on an interpreter who helped her lip-read questions. Rems lost the contest and sued the pageant committee and others, charging violation of her civil rights as well as "embarrassment, humiliation and degradation." The case has not yet come to trial.

The University of California has a docket of similar suits long enough to keep the courts busy for years. Ten university attorneys, in fact, work full time solely on cases involving employees. In one recent imbroglio, a U.C. Santa Cruz employee, citing emotional stress, sued a colleague and the university after the colleague wrote a message on official stationery labeling him a racist. The plaintiff lost his case in two courts and plans to appeal to the state

supreme court. He has meanwhile retired on a disability pension.

These and similar actions are fertilized by new rules of comparative negligence that allow a plaintiff to recover damages in a lawsuit even if he is partly at fault; this means, for example, that a drunk driver who demolishes an illegally parked car can claim some damages from the defendant's insurer. Changes in ethical guidelines, moreover, permit attorneys to advertise for clients—all of which has made the lawsuit business a battleground for greedy practitioners. The survey firm Jury Verdict Research estimates that jury awards to plaintiffs of \$1 million or more leaped from 22 in 1974 to 558 in 1989. Those figures may be one reason why Congress is now considering a national tort-reform law aimed at restricting frivolous litigation. There is surely something new in the American air that inspired the estate of Christopher Duffy of Framingham, Mass., who stole a car from a parking lot and got killed in a subsequent accident, to sue the proprietor of the lot for failing to prevent auto thefts. The same ingredient in the Zeitgeist must have affected the Philadelphia jury described by journalist Walter Olson in a new book, *The Litigation Explosion*. The jury awarded \$986,000 in 1986 to Judith Haimen, a psychic who was said to be on good terms with John Milton (1608-1674). Haimen sued her doctor and a hospital, alleging that she suffered an allergic reaction and intense headaches from a dye used in a 1976 CAT scan and as a consequence could not use her psychic powers. Paradise lost. The judge set aside the award; the case ground on until it was dismissed on appeal last February.



BLAME GAME

IN LOS ANGELES, at least three cops who witnessed the notorious videotaped beating of a black motorist last March have filed for worker's compensation, claiming that they suffered anxiety and stress.

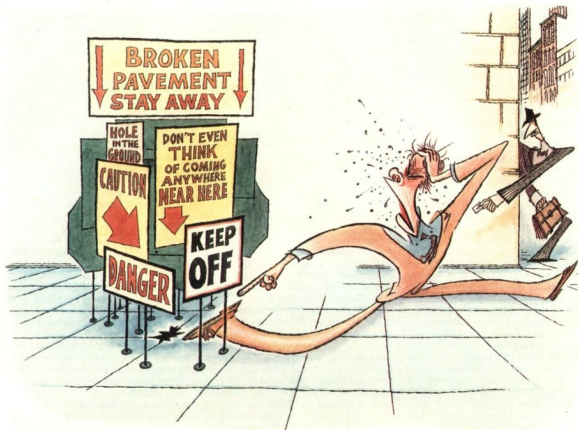
IN TAMPA, FLORIDA, Dennis Diaz, accused of failing to pay \$30,000 in child support, complained that his right to privacy was violated in 1989, when the state posted his name and photograph along with those of other delinquent fathers.

IN VENTURA, CALIFORNIA, Donna Roberts charged that a veterinarian severely injured her pet iguana in 1989; she sued for \$1 million in damages, contending that the animal suffered a broken back and that she endured emotional stress. The case is pending.

IN CANNES, FRANCE, black writer-director Spike Lee, miffed because his film *Do the Right Thing* did not win first prize at the annual film festival in 1989, implied that the judges' decision was racist.

IN MARTINEZ, CALIFORNIA, crew members of a U.S. Navy train that severed an antiwar protester's legs in 1987 sued him, alleging post-traumatic stress disorder. The protester went on to win a settlement in his own suit against the government.

IN CINCINNATI, OHIO, Edward H. Winter sued a local hospital for "wrongful living." Winter argued that nursing personnel violated his rights when they saved his life after he experienced an episode of extremely rapid heartbeat—despite his instructions that no such effort should be attempted. Winter died about two years later; a judge last week threw out the case, which had been pursued by Winter's estate.



How many ways can crybabies parse shame and blame? In San Francisco last month, a motley flock turned out to picket the classic Disney movie *Fantasia*. One man complained that the spooky *Night on Bald Mountain* scene had terrified his child. Members of an organization called Dieters United objected to the tutu-clad hippos frolicking to the music of *Dance of the Hours*; the protesters felt the sequence ridiculed fat people. Conservationists were appalled at the waste of water in *Sorcerer's Apprentice*. Fundamentalist Christians bewailed the depiction of evolution in *Rite of Spring*. Antidrug forces suspected something subliminally prodrug in the *Nutcracker Suite* episode featuring dancing mushrooms. Only *Fantasia* conductor Leopold Stokowski escaped chastisement, perhaps because he is dead.

But not all instances of victimology are so ludicrous. Two men hiding in a New York City subway tunnel were burned when they accidentally touched an electrified rail; a jury threw \$13 million at them. The city is appealing the award. Joel Steinberg, the wife beater and child abuser who was convicted in New York City in 1989 of the battering death of his six-year-old illegally adopted daughter Lisa, told the court, "I'm a victim, as was everyone else who knew Lisa."

Far more dangerous is the way demagogues have been able to dismiss as no more than "racism" the workings of the U.S. justice system in cases like the notorious 1987 Tawana Brawley affair. The fragile mechanisms of equity that Americans have struggled hard to establish—and must still struggle hard to improve—are among the things most threatened by the sweeping fiat of victimology.

Language itself is buckling under the strain of avoiding insult and injury to everybody in response to the crybaby's complaint. Ever mindful of the genuine or imagined sensitivities of women and minorities, the University of Missouri's Multicultural Management Program has produced for newspaper reporters a 22-page dictionary of loaded words and phrases. Some of the proposals in the lexicon are unarguable (*bimbo* and *broad* are derogatory when applied to women). Other entries, listed mainly to pacify various groups, are questionable. *Burly* should be used with care, since it is "too often associated with large black men, implying ignorance and considered offensive in this context." *Articulate* could be deemed offensive "when referring to a minority ... and his or her ability to handle the English language." *Illegal alien* is unkind, especially to Mexican Americans;

"the preferred term is undocumented worker or undocumented resident."

The real issue is not that words can hurt, or that civil rights and tolerance are essential in a democracy, but that hypersensitivity clouds rational discourse: how to knit a contentious American society together rather than allow it to become balkanized by competing interests. "We need to reset the thermostats," writes sociologist Etzioni, "not shatter windows or tear down walls. Extremism in defense of virtue is a vice."

William Donohue, a sociologist at Pittsburgh's La Roche College, argues that this same extremism reflects a perverse view of freedom. "Civil liberties means the right of the individual to win against the majority," he says. "But civility and community are both predicated on the individual being subordinate to the interest of society. If you make a fetish of individual rights, you are going to emasculate that community."

Perhaps one step toward more civility and community would be a modification of the famous injunction in *Henry VI*: First, let's restrain—not kill—all the lawyers. Then add a second proposal that Shakespeare never had to think of: Let's gag all the crybabies. Better yet, let them gag themselves.

—Reported by
Ann Blackman/Washington, Tom Curry/Chicago
and Edwin M. Reingold/Los Angeles



How nuclear energy benefits a typical family of four.

Every year, the ospreys return to their wildlife preserve around the nuclear electric plant near Waterford, Connecticut, where nesting platforms have been built for them by the local utility.

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the quality of our environment, we need more nuclear plants. For your family, and others as well.

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Nuclear energy means cleaner air.

ACCUSATIONS

Busybodies: New Puritans

Repent! The hour of the meddlers is at hand! And they are putting other Americans' views, behavior and even jobs at increasing risk.

By JOHN ELSON

Consider, for a moment, these twin signs of our scrambled times:

► In Los Angeles, Jesse Mercado was dismissed from his job as a security guard at the *Times* despite an excellent performance record. The reason? Mercado was overweight.

► In Wabash, Ind., Janice Bone lost her job as an assistant payroll clerk at the Ford Motor Box Co. The reason? The firm, which will not let its employees smoke either on the job or at home, insisted that she take a urine test, which proved positive for nicotine.

Welcome, readers, to the prying side of America in the 1990s. The U.S. may still be the land of the free, but increasingly it is also the home of dedicated neo-Puritans,

humorlessly imposing on others arbitrary (meaning their own) standards of be-

havior, health and thought. To a number of concerned observers, the busybodies—conformity seekers, legal nitpickers and politically correct thought police—seem to have lost sight of a bedrock American virtue: tolerance, allowing others, in the name of freedom, to do things one disagrees with or does not like, provided they do no outright harm to others.

"There should be limits to what we are prepared to tolerate," says president Stephen Balch of the National Association of Scholars, based in Princeton, N.J., which is dedicated to fighting lockstep leftism in academia. "But in a free society where people are going to get along, those limits have to be pretty wide." Balch is concerned that the very definition of tolerance is changing: more and more people see it as "requiring others to do the kinds of things that they consider enlightened." On many campuses, the prevailing standard these days would appear to be that of Marxist philosopher Herbert Marcuse, a guru for many flower-power youths during the rebellious

'60s. In his dense treatise *One-Dimensional Man*, Marcuse argued that tolerance for the expression of intolerant attitudes, like racial discrimination, should be repressed for society's good.

One key battleground in the tolerance war is life-style. These days, smoking, drinking or nosing on high-cholesterol snacks isn't just a health risk. It can endanger your job as well. Concerned about the ever rising (about 15% annually) cost of health insurance, at least 6,000 U.S. companies, including Atlanta-based Turner Broadcasting, refuse to hire smokers, and in some cases fire those who don't beat the habit, even when it is only practiced off the job. For similar insurance reasons, corporate discrimination against the overweight is so widespread that some of the obese have formed a lobbying group called the National Association to Advance Fat Acceptance.

Meanwhile, corporate busybodies are ingeniously finding new things to ban—all in the interest, naturally, of slimming health-care costs. One company in Pennsylvania, according to the American Civil Liberties Union, has barred its managers from riding motorcycles; too risky. A Georgia firm has warned its employees to stay away from such life-threatening activities as cliff climbing and surfing.

Civil libertarians concede that companies have a right, not to mention a moral obligation to shareholders, to protect themselves from ruinous medical bills. But some critics argue that the punitive firings of Mercado and Bone represent a throwback to the early 1900s, when spies from the Ford Motor Co.'s notorious Sociological Department invaded autoworkers' homes to search for forbidden booze or unmarried live-ins. (Ford's Big Brother approach was intended partly to protect its employees from Detroit's legions of prostitutes and grifters, who preyed on the kind of ill-educated new immigrants who often worked on the assembly lines.)

A counterargument is that if society requires corporations to pay for most of workers' health-care costs, society cannot object if those companies intrude on employee life-styles. But as Lewis Maltby of the A.C.L.U. notes, the question then becomes, Where do you draw the line? It is generally legal for a company to declare its workplace a smoke-free environment and punish violators. How, though, can a corporation or government agency demand that employ-



TRIVIAL PURSUIT

IN LAWRENCEVILLE, GA., police officer Robbie Smith, 25, was removed from his patrol duties and exiled to a dispatch unit last May because a "heavy metal" tattoo on his forearm was said to portray the wrong image for an officer.

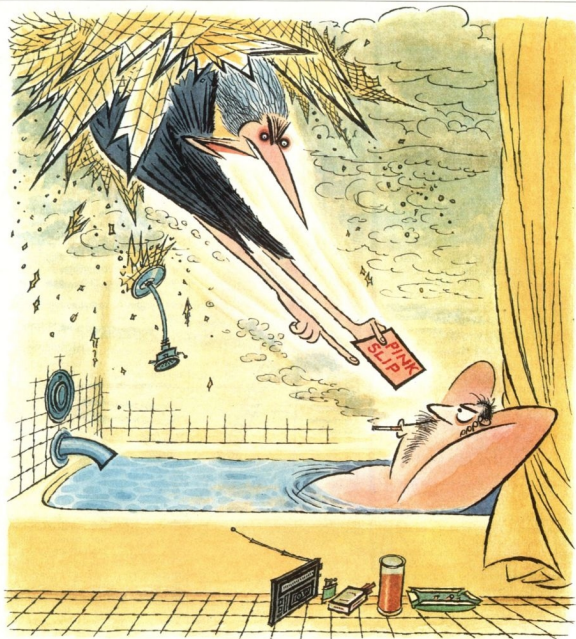
IN SANTA ANA, CALIF., Helen Garrett, 51, kissed a male friend good-night on the steps of her condominium home and the next day received a notice from the condo association saying she was "seen parking in circular driveway kissing and doing bad things for over 1 hour." The note warned of a possible fine if she repeated the infraction. Witnesses had confused Garrett and friend with two parking teens.

IN OLYMPIA, WASH., Senator James West, a Republican, last year introduced a bill in the Washington state legislature that would have made sexual intercourse illegal for unmarried teens under 18. The legislature's senate health care and corrections committee gave the restrictive bill serious consideration as an AIDS-prevention measure.

IN BENNINGTON, VT., writer Edward Hoagland was fired from his teaching job at Bennington College after students expressed outrage over three sentences he published in an *Esquire* article that they thought reflected anti-gay notions. The administration reinstated Hoagland last month.

IN ARAPAHOE COUNTY, COLO., the sheriff's department will hire only non-smokers and forbids its few remaining smokers to light up anywhere on the job, even while out on a case.

IN LEBANON, TENN., the Cracker Barrel Old Country Store and Restaurant chain briefly adopted a policy ousting employees who failed "to demonstrate normal heterosexual values." At least nine gay workers were fired before the company rescinded the rule a few weeks later.



ces like Bone refrain from lighting up away from work, especially since smoking itself is not a crime? High cholesterol levels can lead to heart disease and other health problems. But what right does an employer have to demand that a worker refrain from eating fried chicken or ice cream?

"The only thing that should be considered is job performance," says law professor Irwin Schmerinsky of the University of Southern California. "If the courts allow firms to make decisions on potential costs, it's hard to know where the restrictions will end." Most Americans appear to endorse that view. According to a poll by the National Consumers League, 81% of Ameri-

cans believe an employer has no right to refuse to hire an overweight person and 76% feel companies should not be allowed to ban smoking off the job.

The nation's lawmakers are beginning to listen: 19 states, including New Jersey, Colorado and Oregon, have passed some form of legislation that bars employers from discriminating against workers because of their life-style. (Despite Indiana's new smoker-protection law, Bone has not got her former job back, and has filed a claim against the company. Overweight Mercado sued, won and got a judgment of more than \$500,000, plus a return to his old post.)

The corporate life-style police are at

least motivated by real financial concerns. All too often, other life-style busybodies are motivated by sheer bloody-mindedness. A persistent neo-Prohibitionist movement has added to the woes of the nation's wine industry by pressuring the Treasury's Bureau of Alcohol, Tobacco and Firearms into demanding ever more prominent and explicit health-warning labels on bottles. (One irate California publicist responded by labeling some Lake County Cabernet Sauvignon "Chateau le Warning" and putting the Surgeon General's injunctions right up front. The BATF was not amused.)

Then there are the animal-rights zealots, who sometimes seem to have greater

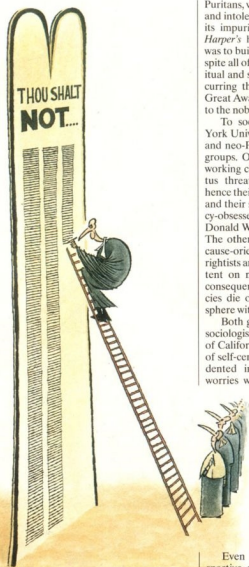
respect for fauna than for their fellow humans. In some bastions of correct thinking, a woman wearing an ermine coat stands more chance of being attacked by an egg-throwing lover of stoats than by a mugger. (The fur-wearing woman's offense would be compounded if she were eating a veal sandwich or carrying a non-biodegradable Styrofoam container of coffee.)

More than anyone else except the French, Americans have been infected by the delusion that strict laws are necessary to protect people from themselves. The nation's statute books are crammed with millions of useless and largely unenforceable regulations, like the one in Seattle that bars flu sufferers from going out in public. Most of the rules are ignored, but their existence is a constant source of inspiration to the puritanically minded.

Yet perhaps out of frustration that serious crime seems to be leaping out of control, some guardians of the law have taken to enforcing these juridical minutiae with singular determination. Consider Cobb County, Ga., where serious crimes like robbery have increased since 1990. The *Wall Street Journal* reported last week that Rebecca Anding of Marietta was arrested, handcuffed and forced to spend six hours in jail on Easter Sunday. Anding, who had no previous criminal record, was apprehended picking tulips from an office park to place on her grandmother's grave. Another Marietta resident, Linda Judson, spent four hours in jail in May after she was apprehended for failing to return two overdue rental tapes to a local video store.

Finally, of course, there are the academic enforcers of political correctness, or "p.c.," whose efforts have received widespread publicity but who remain, in many cases, undaunted. In Vermont the distinguished essayist Edward Hoagland was abruptly dismissed as a part-time lecturer at Bennington College. The reason? Student activists convinced school authorities that an article Hoagland had written for *Esquire*, in which he argued that the spread of AIDS was owing partly to a "gale of often icy promiscuity," was homophobic and therefore deserved severe punishment. To be sure, Hoagland got his teaching job at Bennington back after an investigation showed that the college's literature department had "deviated from proper recruitment procedures" in giving him the boot. Nonetheless, there is a chilling effect. "Essayists have always been unpopular because they think for themselves," Hoagland told the *Boston Globe*. "I don't think the gravity of this issue has sunk in. Nationwide and at Bennington, I don't think the lesson's been learned."

Hardly a week goes by without some new example of attempts to enforce conformity on campus. At the California State University at Northridge, an offer by the Carl's Jr fast-food chain to install a branch



in the newly expanded bookstore was rejected last May. The reason was not the quality or price of the chow but student and faculty objections to the conservative views of the chain's owner, Carl Karcher, who financially supports antiabortion groups such as the National Right to Life Action League. To Stephen Balch, Northridge's decision was outrageously intolerant. "You're not talking about Karcher doing anything on campus," he says. "You're not even talking about anything the fast-food chain did as a corporation. You're talking about something its owner did, certainly something he has a right to do, and something that a public institution should certainly not penalize people for."

The weary truth is that busybodyism is, as black radical H. Rap Brown once said of violence, as American as cherry pie. The

Puritans, who began it all, had "a desperate and intolerant wish to cleanse the world of its impurities," editor Lewis Lapham of *Harper's* has written, and their ambition was to build a New Jerusalem on earth despite all of life's uncertainties. In both spiritual and secular guise, that has been a recurring theme in U.S. history, from the Great Awakening of the early frontier days to the noble experiment of Prohibition.

To sociologist James Jasper of New York University, today's would-be censors and neo-Puritans belong to two disparate groups. One consists of those, frequently working class in origin, who feel their status threatened by differing life-styles—hence their hostility to drugs and casual sex and their sympathy for the goals of decency-obsessed media baiters like the Rev. Donald Wildmon or Senator Jesse Helms. The other group, Jasper says, consists of cause-oriented activists, such as animal rightists and environmentalists, who are intent on making people think about the consequences of letting endangered species die out or contaminating the atmosphere with hair spray.

Both groups have contributed to what sociologist Jack Douglas of the University of California at San Diego calls "a degree of self-centered moralism that is unprecedented in American history." Douglas worries whether the pendulum will ever swing back the other way. Among other things, he notes, the new forms of personal intolerance occur at a time when the common bonds of U.S. society—our shared values, our political understandings—seem weaker than ever. "Maybe," he glooms, "America is too large and diverse to be one country under democracy any longer."

Even those who reject Douglas' perspective might reasonably conclude that the long war against the busybodies has to be won—if it is to be won—a skirmish at a time, tiny battles at the perimeter of individual privacy and choice. One hero in this ongoing conflict is Teresa Fischette, 38, a ticket agent for Continental Airlines at Boston's Logan International Airport. Eager to establish a new image for its ground personnel, the carrier last May decreed that its female ticket agents must wear makeup. Fischette refused, was fired, but was then offered a job where she would not be in contact with customers. No way: Fischette filed suit. With the case gaining national publicity, Continental gave Fischette her job back (with back pay) and shaded back its new cosmetics code to a guideline.

No hard feelings, Continental. But we say, Hats off to her!

—Reported by
Ann Blackman/Washington and Sophronia Scott
Gregory/New York, with bureau reports

INVESTIGATIONS

The Busybodies on the Bus

As reporters feed lower on the news chain, public figures face shifting standards for their private conduct

By MARGARET CARLSON

Society's busiest busybodies are in the press, where, under cover of the Constitution, they expose, scold and ridicule public figures, and sometimes win Pulitzer Prizes for it. In the putative national interest, reporters have taken on the roles of mother superior, party boss, neighborhood snoop and cop on the beat. No one knows exactly what the moral code is, but anyone who runs for office, or otherwise pre-emptively public attention, violates it at his peril.

We do know, however, that in its police function the press relies less on the Constitution than on the Ten Commandments, although not all of them. "Thou shalt not steal" is much less interesting than "Thou shalt not commit adultery." Until recently, the cautious public figure searching for a baseline against which to measure his conduct could look to the Gary Hart scandal of 1987. Roughly translated, the Hart standard meant that the conduct in question had to be verified, reckless, substantial and current, by a candidate running for President. The challenge Follow Me was optional.

Then came former Senator John Tower of Texas, who was rejected as Secretary of Defense in part for decades-old, unverifiable boozing womanizing. As for drug use, the other major area of press scrutiny, Supreme Court nominee Clarence Thomas provides the most current guide. It is no longer disqualifying to have smoked marijuana as a student, especially if it was an experiment and was not enjoyed. Anyone who smoked in Vietnam actually scores points with the press.

But the hurdles change often: as competition for advertising spins out of control, the mainstream press is increasingly willing to feed lower on the news chain. This spring NBC News anchor Tom Brokaw, slumming as host of a prime-time show called *Exposé*, dusted off a seven-year-old story alleging that Virginia Senator Charles Robb had spent an evening at a hotel with a former beauty queen and attended parties where drugs were used. Once it knew that Brokaw was going with the story, the *Washington Post*, which had decided against running it before, took the clothespin off its nose and played the story on the front page.

Brookings Institution analyst Stephen

Hess likens the lowered standards to "a tabloid-laundering operation in which respectable news organizations get into a story through the back door by reporting on a tabloid's reporting on a story." The value of Brokaw, a respected pro who wins journalism awards and dines at the White House, in such a cleanup operation is high. In April, Brokaw sanitized the use of



the name of the alleged Palm Beach rape victim in the William Smith case under the guise of reporting on the ethics of a supermarket scandal sheet, which had used the name first. This purified the issue sufficiently for the *New York Times*, which ran a lurid profile of the woman the next day, violating most of the newspaper's rules about printing unsubstantiated charges from unnamed sources and naming victims in rape cases. Other publications, which would not take their cues from a tabloid but which felt noble taking them from the *Times*, followed suit.

Reporters in Washington held their collective breath last week wondering who, if anyone, would perform the laundering service for the vicious story in a gay magazine claiming that a Pentagon official is homosexual. The Los Angeles-based *Advocate* tried to get publicity for itself by offering an advance copy of the piece to major news outlets that would

agree to run it. Although the individual has not been antigay or hypocritical or done any of the other things gay groups use as excuses for "outing" people, Jack Anderson broke the story in his syndicated column, deciding that being first was better than being right.

The *Washington Times* last week lobbied a pre-emptive strike against Arkansas Governor Bill Clinton, warning that his private life will be fair game if he decides to run for President. The main inspiration for the paper is political gadfly Robert ("Say") McIntosh, a Little Rock restaurateur known as the "Sweet Potato Pie King," who is trying to stir up trouble for Clinton in Arkansas, handing out rumormongering leaflets.

In the world of moral shake-down, all sources—bored beauty queens who want to be models, models who want to flack for No Excuses jeans—are unimpeachable, and no sexual charge is too old or trivial to pass up. If the country loses the candidacy of one of the nation's most successful Governors to moral terrorism, the press may yet come to see that there is more to journalism than moving product, no matter how heated the competition. But so far, with only slightly fewer correspondents assigned to the alleged Palm Beach rape case than to the Moscow summit, there seems no end to busybodying in sight.

Few would argue for a return to the John Kennedy standard, where reporters enjoyed nudging each other over the President's affairs but didn't feel the public had a right to know. For the President, the standard must be high: there are no off-hours, and wars can start in the middle of the night. But there is a moral statute of limitations, a sense of proportion, that still applies.

Not every aspiring candidate who has his picture taken with his wife puts his sexual history into play. The public looked at Hart's egregious pattern of conduct and, understandably, had qualms about what it revealed about the man who would be President. Hart, after all, flaunted his affairs and taunted the press to expose him. But the specter of the press pursuing the issue of whether Robb got a massage or something more from the former Miss Virginia, as if there were a Pulitzer at stake, makes the public wonder why the reporters aren't off sorting out the savings and loan scandal. Who among the busybodies can know what really happens behind a closed door, inside a marriage or in the human heart, or what it means? Uncovering an affair a public official may have had tells us that he's not perfect. But not much more.

MOSCOW SUMMIT

Tag-Team Diplomacy

Bush helps Gorbachev in the Ukraine, and the Soviet leader returns the favor on the Middle East

By MICHAEL S. SERRILL

Last week's Moscow summit had been billed as the final act of the cold war. But within hours after Air Force One touched down at Sheremetyevo Airport, it was clear that the last vestiges of East-West tension had dissolved long before George Bush's arrival. In what both sides agreed was the friendliest U.S.-Soviet summit ever, Bush and Mikhail Gorbachev laughed and joked their way through the signing of the Strategic Arms Reduction Treaty (START), which will reduce the two superpowers' nuclear arsenals, and a series of other agreements covering everything from agriculture to the arts. Bush agreed to try to provide Moscow with additional economic and technical aid. He also did his part to keep Gorbachev's restive empire from flying apart by traveling to Kiev to warn the Ukrainian legislature against any adventures in "suicidal nationalism."

As the Bush motorcade arrived in Kiev, the streets were crowded with nationalist spectators, many of them waving the blue-and-yellow flag of the once independent Ukrainian state. But he made it clear that the U.S. would not intervene in the disputes between the republics and Gorbachev's central government. "We will not try to pick winners and losers in political competitions between republics, or between republics and the center," said the President. "[That] is your business, not the business of the U.S."

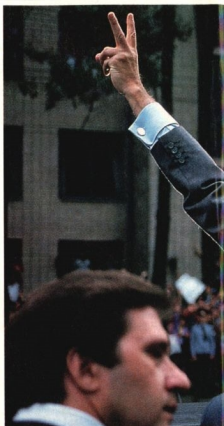
But Bush's comments on Soviet internal politics were overshadowed by the hope that the new spirit of U.S.-Soviet cooperation might spread to the Middle East. Secretary of State James Baker, with some important help from Moscow, persuaded Israel to sit down with its Arab neighbors in face-to-face peace talks that could begin in October. Bush hailed the coming peace conference as a "historic opportunity" for a comprehensive Arab-Israeli settlement after 43 years of war and confrontation.

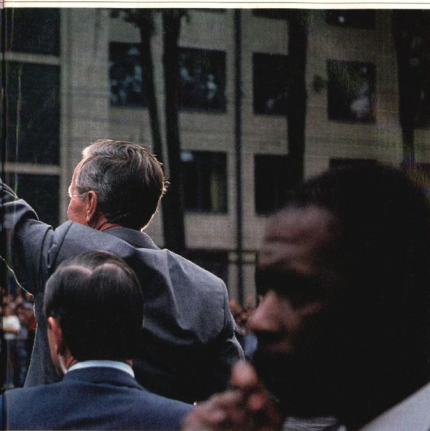
Bush and Baker traveled to Moscow with every intention of bringing Israel to the table. Egypt, Lebanon, Jordan and Syria had already accepted Israel's long-standing demand for bilateral talks. But Israeli Prime Minister Yitzhak Shamir had one last concern: the composition of the Palestinian delegation to the meetings. Israel rejects any participation in the talks by Yasser Arafat's Palestine Liberation Organization. It also opposes the inclusion of any resident of East Jerusalem, a step that in Shamir's view might imply that the city's status as Israel's capital is open to negotiation.

To overcome Shamir's qualms, Bush and Gorbachev staged a diplomatic squeeze play. Baker holed up in Moscow and spent hours on the telephone trying to bring Shamir around. When Bush and Gorbachev announced on Wednesday—before any public announcement from Shamir—that they would issue invitations to an October peace conference, it seemed like a classic bit of diplomatic arm twisting directed at the recalcitrant Israelis. Bush said he was sending Baker to Jerusalem immediately "to obtain Israel's reply."

In fact, according to a senior Administration official, the announcement was a diplomatic charade: Shamir had agreed to attend the peace conference before Baker left Moscow. The Israeli leader's acquiescence was prompted in part by a Soviet promise to re-establish diplomatic relations, which were severed in 1967, if the talks get under way. Baker also assured him that the U.S. would not insist that Palestinians unacceptable to Shamir be included in the discussions.

But even after Shamir agreed to take part in the talks, he insisted that Baker travel to Israel to get the word. That was another example of what some diplomats see as the one-upmanship that the two men have been engaging in since the Bush Administration began reviving the peace process in March. Upon arriving in Jerusalem, the Secretary spent 90 minutes huddled with Shamir before they announced at a joint press conference that Arab-Israeli talks would indeed





convene. Peace in the Middle East, said Baker, was "no longer simply a dream."

In a considerable understatement, Baker added that there was "some work" to be done to secure the cooperation of the Palestinians, who still insist that they will choose their own delegation without interference and that a representative of East Jerusalem must be included. With all the major Arab states, plus the Soviet Union and other European nations, ready to talk peace, the Palestinians may have no choice but to acquiesce to Shamir's formulation. Jordan's King Hussein has appealed to the P.L.O. not to raise problems over Palestinian representation. And Egyptian Foreign Minister Amre Moussa is seeking a possible compromise: Arab residents of East Jerusalem would be excluded from the first round of negotiations but included at a later stage.

For Shamir, the agreement to attend the conference required only a slight shift in emphasis: he simply said yes, Israel would sit down at the peace parley provided the Palestinian delegation was acceptable, rather than no, it would not attend if the Palestinian group was not acceptable. Beyond that, the stone-faced Prime Minister gave away little. At meetings with his right-wing supporters, Shamir emphasized that he had not agreed to sacrifice—or even discuss—the status of Jerusalem and that there was no requirement for Israel to halt construction of new settlements in the territories or lift the occupation of the West Bank and Gaza Strip by Israeli troops. "Trust me," Shamir told a gathering of Knesset members from the small rightist parties that hold his ruling Likud coalition together. "We won't withdraw one millimeter."

U.S., Soviet and other organizers of the peace conference hope the negotiating process may serve to soften Shamir's intransigence. Their strategy is to coax the old enemies toward agreement on less contentious issues in the hope that the result will be a climate of trust that enables progress on more explosive issues. "You want to give this process time so that thinking can evolve," says a senior Administration official. "Different kinds of compromises become possible over time because people see things in different ways."

The meetings will begin with a plenary session at which the U.S. and the Soviet Union will be co-hosts. The site has not been decided, but Washington, Geneva and Cairo have been mentioned as possibilities. Present will be Egypt, Israel, Lebanon, Syria and a joint Jordanian-Palestinian delegation. The European Community will participate, and the Gulf Cooperation Council, representing Saudi Arabia and

In Kiev, Bush told Ukrainians the U.S. would not choose sides in their disputes with Gorbachev; at the Babi Yar memorial, the First Lady sat with survivors of the World War II massacre of civilians

Nation

other gulf states, will send an observer, as will the United Nations.

After two days of opening ceremonies, the talks will break up into bilateral groups: Israeli-Syrian talks on the Israeli-occupied Golan Heights; Israeli-Jordanian-Palestinian discussions on the future of the West Bank and Gaza; Israeli-Lebanese negotiations over Israel's "security zone" along their common border. Simultaneously, multilateral working groups will tackle less contentious regional problems such as water, the environment and arms control.

Given the extraordinary lineup of forces favoring the conference, it is likely that the remaining roadblocks to the talks will be knocked down. Whether the negoti-

ators will be able to find any common ground once they sit down together is another matter. "Don't be surprised if the photo opportunity passes, and then the bilateral negotiations bog down very quickly," warns William Quandt, a Middle East expert at the Brookings Institution.

Gorbachev's and Bush's tag-team diplomacy on the Middle East was just one consequence of what the Soviet leader described as a warm "feeling of solidarity" that has developed between the two men. Bush responded to Gorbachev's many compliments by toasting him as "a man I respect and admire" and by promising to seek most-favored-nation trading status for the Soviet Union. He even chided re-

porters for blaming the Soviet government "before you know what happened" in last week's killing of seven guards at a Lithuanian customs house.

Gorbachev suggested that with START out of the way the superpowers were in a position to tackle other sources of international tension, like Yugoslavia and Central America. Certainly the agreement to hold talks in the Middle East was proof of the promise that East-West collaboration holds out to the world. Until Bush and Gorbachev teamed up, the two sides had so little to say to each other that they could not even agree to talk.

—Reported by Michael Duffy with Bush, J.F.O. McAllister/Washington and Robert Slater/Jerusalem



Keeping the leaders in focus as they stroll on the Kremlin grounds

The Last Media Circus

If last week's summit between George Bush and Mikhail Gorbachev symbolized the end of the cold war, it may also have marked the end of a rather less historic phenomenon: the Great International Media Circus, with its Tibet-size press rooms wired for every conceivable form of human communication; "photo ops" in which a couple of dozen photographers viciously compete to see who can take the same picture the most times; legions of bored, humiliated reporters wandering aimlessly about with the glazed eyes of the living dead; and assorted bearers, runners and factotums, each armed with a walkie-talkie in order to remain, Sununu-like, in a state of "constant communication" ("Base to Smith, Bush is moving, Bush is moving!"). Last week's summit had all this, plus near riots in the press room whenever White House aides distributed another meaningless pool report (sample title: "Mrs. Bush Pool Report #A").

Why is the circus folding its tent? Economics. Pan Ameri-

can World Airways, from which the White House charters the press plane, is under bankruptcy proceedings and is in the process of selling its assets. If Pan Am goes under, no other airline appears both willing and able to replace it as the official purveyor of 747s to the press corps. "No other airline wants to do it," says Gary Wright of the White House Travel Office. "The bottom line is the airlines don't make enough money out of it, and the p.r. value is negligible."

Then there are the financial realities of modern journalism. Monstrous as the Moscow extravaganza was—the TV networks couldn't resist sending their anchors, and CBS dispatched seven camera crews—many news executives have concluded that they can no longer afford saturation coverage of all presidential trips. (The overall cost of just the press centers in Moscow and Kiev was \$250,000.) The Associated Press sent 11 staff members on the trip, a third less than the number that covered the Reagan-Gorbachev summit in 1988.

Since the coldest days of the cold war, summit coverage has been a growth industry. But it has ballooned to such mammoth proportions that it has crossed into the realm of self-parody. Only a relative handful of the 2,113 journalists accredited to cover the Bush-Gorbachev meetings managed to lay eyes on any of the leaders' key aides, much less Bush or Gorbachev. Some White House regulars were assigned to pools, but most journalists "covered" the events by sitting in the press room at Mezhdunarodnaya Hotel, a mile and a half from the Kremlin. There they read pool reports, watched CNN on projection TV screens, spoke mainly to one another and were given a single diploable briefing by the two press spokesmen, Marlin Fitzwater and Vitali Ignatenko.

The absurdity of all this was highlighted Tuesday night when a White House aide announced that the pool assigned to cover Bush's visit to Gorbachev's suburban residence was not expected to provide any coverage. "You'll just go up there and hang out," the aide advised.

Observed a Moscow-based correspondent: "Coverage like this has become a giant fraud—everybody pretending and writing as if they actually saw something. It's really just institutionalized plagiarism."

—By Stanley W. Cloud

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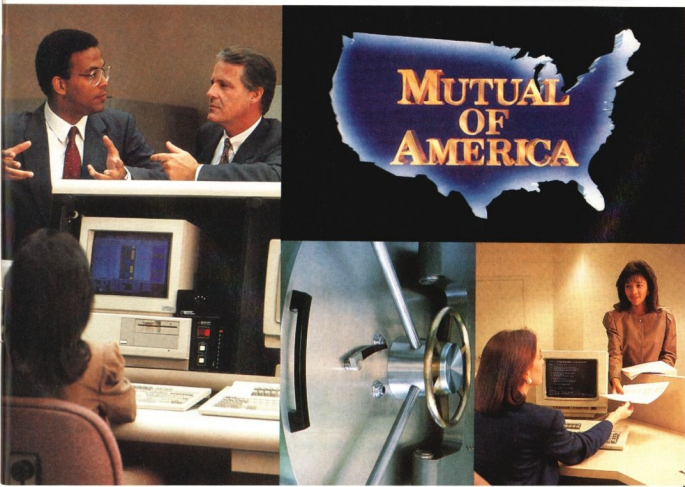
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A Defense We Can Live With

What was once said of Wagner's music also applies to the logic of the agreement between the U.S. and the Soviet Union to stand naked before each other's nuclear missiles: it's better than it sounds. To feel safe, both superpowers must be confident they can retaliate against an attack. The more defense one side has, the more offense the other will think it needs and the greater the danger that competition will spin out of control. Conversely, only when defenses are constrained can offenses be reduced. That's the connection—the "linkage," as the diplomats and strategists call it—between the accord limiting antiballistic missiles (ABMs) that Richard Nixon and Leonid Brezhnev concluded in 1972 and the treaty capping the Strategic Arms Reduction Talks (START) that George Bush and Mikhail Gorbachev signed last week.

Between those two milestones, 19 years apart, the U.S. had a President who never bought the theory of mutual deterrence or its perverse-sounding corollary, mutual vulnerability. Ronald Reagan dreamed of pure, total defense. His Strategic Defense Initiative, or Star Wars, was a testament of faith that Yankee ingenuity could produce exotic missile-killing satellites that would render offensive weapons "impotent and obsolete."

Most American scientists think an impregnable astrodome over the U.S. is sheer fantasy. Yet even a faulty SDI would force the Soviets to take costly countermeasures. Gorbachev put Reagan on notice that if the U.S. proceeded with SDI, the Kremlin would have no choice but to pull out of START. Soviet officials reiterated that warning last week.

Bush has never been a true believer in SDI, although as Vice President he paid lip service to the program as part of the catechism of the Reagan Administration. SDI is still sacred to the Republican hard right, so Bush lets his Vice President, Dan Quayle, champion the latest Star Wars brainstorm: "Brilliant Pebbles," an orbiting complex of miniaturized rockets that makes about as much sense as the name suggests. Since even the testing of space-based interceptors is prohibited by the ABM treaty and would therefore jeopardize Moscow's continued compliance with START, Brilliant Pebbles is more of a threat to arms control than to Soviet missiles.

It's fashionable these days to dismiss nuclear diplomacy as all but irrelevant, given the end of the cold war and the tumult in the U.S.S.R. But precisely because the future of that country is so uncertain, it's all the more important to make sure that one factor in the Soviet equation—the size and composition of the Strategic Rocket Forces—remains predictable.

There's another reason for protecting the gains of START and proceeding briskly to START II: only if the two largest nu-

clear powers continue to reduce their arsenals can they induce other countries to cooperate in curbing the further spread of nukes and the ballistic technology to launch them.

Yet, paradoxically, while meeting the challenge of proliferation means more stringent limits on U.S. and Soviet offenses, it may also require fewer restrictions on defense.

Six months ago, the world watched as Iraqi Scuds hurtled down on Israeli and Saudi Arabian cities. American Patriot antiballistic missiles foiled many of those strikes. Now a standard feature on the TV evening news is the cat-and-mouse

game that Saddam Hussein is playing with international inspectors looking for evidence of his Manhattan Project.

Imagine a more adroit Saddam armed with an intercontinental version of the Scud, and you've got the stuff of which a new nightmare is made. Arms control should make an attack by a Third World country on the U.S. less plausible rather than more so. To fend off scores or even hundreds of warheads, the U.S. needs not SDI but a network of ground-based interceptors at perhaps three to five sites. The ABM treaty allows only one site, but it could be amended to permit more.

At the same time, the ban on testing and deployment of space-based systems should be strengthened, since those are what could undermine the purpose of the treaty and the viability of deterrence itself.

For 2½ years Sam Nunn, the Democratic chairman of the Senate Armed Services Committee, has been advocating what he calls a "limited-protection system." Last week the Senate endorsed that goal. The gung-ho SDI enthusiasts don't like the scheme because they believe, correctly, that Nunn doesn't want Brilliant Pebbles to get off the ground. On the other side are arms-control purists who see the ABM treaty as holy writ and fear it can't survive any tinkering.

That ought not to be true. As one of its original negotiators, Sidney Graybeal, notes, "The treaty was meant to be a living document, therefore subject to updating as the world changes." And the world has indeed evolved in ways the Soviets surely recognize. While Saddam and Bush are at the top of each other's hate list today, Iraq is geographically much closer to the U.S.S.R. than to the U.S. So is China, which has a sizable arsenal, much of it aimed at Soviet targets. So is Pakistan, with its own nuclear ambitions.

As they made clear last week, Bush and Gorbachev already realize that their countries have a lot more to worry about than each other. Perhaps, before their next summit, they could acknowledge a shared interest in easing the terms of the ABM treaty while preserving its essence.



Bush and Gorbachev in Moscow: starting to curb offense



Accused serial killer Jeffrey Dahmer drew a map of the property of his boyhood home in Bath, Ohio, to help investigators find the remains of Steven Hicks, who may have been his first victim. So far, officials have unearthed some 100 bone fragments.

MILWAUKEE MURDERS

Did They All Have to Die?

Chagrined Milwaukeeans learn how the police let a serial killer slip through their hands to kill again

By ALEX PRUD'HOMME

How can it have happened? Police officers are alerted that a dazed, naked Asian boy is staggering on a Milwaukee street. Jeffrey Dahmer, 31, convinces them that 14-year-old Konerak Sinthasomphone is his homosexual lover. Dahmer happens to be a convicted child molester, but the police do not check him out. Instead of rescuing the young Laotian immigrant from Dahmer, who has since confessed to murdering and mutilating 17 men over the past 13 years, the cops seem to laugh off the incident as a gay love spat. They deliver the 14-year-old to Dahmer's apartment. And as soon as they leave, Dahmer reportedly proceeds to strangle the boy and dismember his body.

The release of police-department radio and telephone transcripts apparently showing how badly the officers had blundered intensified the shock and anger that have gripped Milwaukee ever since the decomposing remains of 11 bodies were discovered in Dahmer's small apartment two weeks ago. Police made their grisly find only because they came across another fleeing victim, who told them Dahmer was trying to kill him. Black and gay leaders, noting that most of Dahmer's victims were nonwhite and some were homosexual, have accused police of years of bigotry and neglect.

Though police chief Philip Arreola attempted to defuse the situation by suspending the three officers involved in the Sinthasomphone case and filing adminis-

trative charges against them, public indignation rose as new details came to light. According to local news accounts, two black women called the cops in the early-morning hours of May 27 and reported that they found the youth, naked and bleeding, being chased by Dahmer. Laurie Eggert, a police-union lawyer, said the three officers who responded found the boy highly intoxicated and attributed the bleeding to a scrape on the leg. Dahmer convinced the officers that the boy was his 19-year-old lover and that they had quarreled. When the officers returned the youth to Dahmer's apartment, says Eggert, they saw nothing unusual.

According to the *Milwaukee Journal*, they should have. The paper said Dahmer told investigators that when the officers brought the boy back, photographs of victims were strewn about the apartment and the body of one victim was in the bedroom, "smelling like hell."

The police transcripts show that the officers involved apparently joked and laughed about the incident with the dispatcher. "Intoxicated Asian, naked male. Was returned to his sober boyfriend," said a policeman, who added that his partner "is going to get deloused." Glenda Cleveland, whose daughter and niece initially spotted Sinthasomphone on the street, later called the police and repeatedly asked what had been done about the "child." One of the officers who had been at the scene responded, "It wasn't a child, it was an adult... It is all taken care of... It's a boyfriend-boyfriend thing."

Milwaukee blacks are incensed because the cops believed Dahmer, who is white, instead of the black women. "This is a very racist city," said community activist Queen Hyler. "You have a white guy killing people weekly, with bodies stacking up in a building occupied mostly by blacks, but the cops are too busy riding shotgun on the black community to pay any attention." Black and gay leaders have called for an independent investigation of the department, claiming that it is still philosophically under the sway of Harold Breier, who retired as police chief in 1984 after a rigid 20-year reign. Meanwhile, Chief Arreola was facing sharp criticism from within his ranks after suspending the three officers involved in the May 27 incident and ordering an internal investigation.

As the investigation continued, a profile of Dahmer emerged that seems to suggest he fits classic patterns of a serial killer. Says Robert Ressler, a former FBI agent and a pre-eminent expert on mass murderers: "Dahmer falls into the subcategory of the sadistic, sexually oriented serial killer who is inevitably a white male loner and usually intelligent." This type of killer, says Ressler, generally comes from a broken home, has had poor parenting and/or was abused early in his life, usually doesn't marry, is often an alcoholic or drug addict and can be suicidal. Dahmer—who according to his father was molested by a neighbor boy at the age of eight, though Dahmer himself denies it—seems to fit most of these criteria.

Last week police searched the grounds of the former Dahmer house in Bath, Ohio, for the remains of Steven Hicks, who may have been the murderer's first victim. In 1978 Hicks, 18, was hitchhiking when Dahmer, also 18 at the time, took him home, killed him with a barbell and smashed his bones with a hammer. So far, about 100 bone and three tooth fragments have been recovered from the grounds. Investigators plan to test them against a lock of hair and dental records that Hicks' parents provided in the hope of proving a match. In a statement issued last week, the Hicks family said, "We have spent a great deal of time trying to understand the motivation for such a heinous crime and concluded that some acts are so evil they simply cannot be explained."

—Reported by Mary Cronin/
New York and Georgia Pabst/Milwaukee



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URBAN CRISIS

Beating the Mean Streets

With a little help from his friends, James Jacobs proves that ghetto blacks are not doomed to failure

By JANICE C. SIMPSON

By the bleak arithmetic of the inner city, James Jacobs should be dead. Or in jail. Or strung out on drugs. Or selling them.

Instead, on a pleasantly cool Monday night in June, the soft-spoken 19-year-old, who grew up in the public-housing projects in Bridgeport, Conn., proudly marched into the local civic auditorium with 128 other green-and-white-robed members of the Bassick High School graduating class of 1991. He didn't sit on the podium with the class leaders, nor was he one of the nine students who wore a blue satin collar symbolizing membership in the National Honor Society. But for James, his family, his neighborhood and even for this country, the mere fact that he got a diploma was something to be proud of.

"We from the projects, we from the drug-ridden neighborhoods have beaten the statistics," declared class valedictorian Efrain Colon Jr. "This is no stepping-stone. This is a milestone. We have made it."

Making it today can be more challenging than ever for young men who are poor, black or Hispanic. Although recent reports suggest that the number of black students completing high school is growing, thousands continue to fall by the wayside. Nearly one-

third of the youngsters in James' class dropped out before graduation. In the Bridgeport area, the unemployment rate for black and Hispanic males between ages 16 and 19 is 38.5%, more than five times the rate for the general population. Idleness often leads to illicit activity. Local police arrested 1,914 juveniles in 1989; 158 of them were charged with violent crimes, 14 of those with murder. Yet every day young people like James beat the odds, resist the temptations and begin productive lives. Too often their success requires a heroic effort: by themselves, family members, dedicated teachers, social workers and concerned volunteers. A youngster who is not exceptional in some way—or just plain lucky—can fall through the cracks.

James was gifted—and fortunate. "I been tempted," he says of the fast money that street life promises. "But people always put me on the right track, or something bad always happens every time I get tempted, and it turns me the other way."

The seventh of George Fitch's 10 children, James is the first to graduate from high school. His mother Patricia Jacobs,

38, made it to senior year but dropped out when she became pregnant with the first of the four sons she had with Fitch. The couple were never legally married, but stayed together for 17 years. Fitch, a carpenter, now disabled, and Jacobs, a nurse's aide, provided their boys with a stable and protective home environment. "We kept them in the house for a long time," Patricia Jacobs recalls. "But they say you got to let them go sometime."

The P.T. Barnum Houses, 21 squat buildings marooned on the western edge of the city, are not an easy place to raise children, especially boys. The eldest son Ger-

rod, 20, fell first—dropping out of school, smoking marijuana, then using cocaine—and is serving a five-year sentence in North Carolina for breaking and entering. "I was out in the streets, hanging with the wrong crowd," he says. The third brother Jeremy began

selling drugs. "Jeremy wanted things," says his mother. "It's that fast money. They want Michael Jordan sneakers and all that stuff they see." Jeremy was shot to death last year. He was 16.

James stumbled too. At 14 he was arrested for riding in a stolen car and given nine months probation. Rough handling by the police and being detained in a cell with "all these big men" frightened him, and he vowed never to be locked up again. Thousands of youngsters have made similar vows. But other factors, in addition to his personal fortitude, helped James keep his.

"One of the things that saved James was sports," says his sixth-grade teacher John Tavella. The youth played point guard on the Bassick High School team, which ranked eighth in the U.S. during James' sophomore year. Basketball gave him the kind of attention that all youngsters crave. It also gave him something constructive to do with his time.

But athletic prowess alone didn't keep James on the right track. Relatives, friends and others took the time to show interest in him. "Mr. Tavella didn't just teach and let you go home," he says of his former teacher. "He talked to you. He knew things was going on out here. He was advising me not to be out there doing them."

In 1985 James got involved with the Bridgeport chapter of a national program called Youth at Risk, which took youngsters to the Catskill Mountains for 10 summer days of arduous physical exercise and intense rap sessions designed to help



A friend helps the proud graduate make the final adjustments on his commencement day

them develop skills to cope with the pressures back on the street. Gerrod, who was also selected to go, left after just six days, but James stayed on and completed a follow-up program during the school year.

"That's what James' success is all about," says Don Thomas, a graphics teacher at Bassick High School and one of the volunteer counselors that summer, "knowing that there is support and reaching out for it." Still, there were times when James strayed. He dropped out of school for two months in protest when his mother sent him to North Carolina to stay with her parents. "Any crowd out here has one or two who are known drug dealers, and if you're hanging with the crowd and they're picked up, 9 times out of 10, you'll be picked up too," Patricia Jacobs says, explaining her desire to get her son away.

But even when his parents gave in and brought James home, his grades at Bassick fluctuated. "You start listening to other

people, and they get to your head," he says. "Say the math is getting hard, and one of my friends just goes to sleep, and I figure, 'Hey, I can go to sleep too.'"

Persistent prodding from his mother, his coach, his guidance counselor and his teachers kept pulling him back in the right direction. But the final turnaround came last year, when Jeremy was killed. "Before that, I'd be out in the street, but when my brother got shot, that was it," he says. "That completely turned me off."

James stayed in the house more. He studied harder, making the honor roll for the first time. Friends of his brothers' encouraged him to keep at it. "Even though they don't go to school, they'd be telling me to go to school," he says. "I guess with what happened to my brother, nobody really wanted to see me do bad."

Later this month, James will enroll at Central Connecticut State University in

New Britain. A combination of grants, loans and work-study programs will pay for his education. "I think the hard part is coming up," he says. "From what I hear, college has its own things to get over, and it'll be harder cause I'll be on my own." Nevertheless, motivated in part by a desire to set a positive role model for his youngest brother Effredge, now 10, James is determined to give it a try, perhaps majoring in pre-law.

Meanwhile, James has been thinking about what would help other youngsters from neighborhoods like his to succeed. "You need a community center or something they could get into, that could occupy their time, that could let them know what they're good at," he says. "And you need somebody that has made it out of here who would come back and talk to them. It probably won't get all of them, but it will get to some of them." Until such efforts are vastly expanded, success stories like James' will be the exception, not the rule. ■

ARMED FORCES

The New Top Guns

In the wake of Desert Storm, the Senate clears women pilots for combat

During the Persian Gulf war, women distinguished themselves in the cockpits of helicopters, midair refueling tankers and the lumbering C-141 transport jets that ferried troops across enemy lines. Their performance and that of all the 35,000 women who served in the gulf has generated support in Congress and public opinion for broadening the role of females in the military. Last week in a landmark move the Senate voted overwhelmingly to overturn a 43-year-old law that bars women from flying combat missions. Said Delaware Senator William Roth, who co-sponsored the amendment with Senator Edward Kennedy of Massachusetts: "The facts show that women pilots have successfully broken ground in just about every area of aviation—and they deserve the opportunity to compete."

The new measure, which would allow but not require each of the services to certify women pilots for combat missions, won little support among the military brass. Said former Marine Commandant Robert H. Barrow: "Women give life. Sustain life. Nurture life. They don't take it." Despite such reservations, the Pentagon is likely to go along grudgingly with the policy.

Opponents of the measure, including Sam Nunn, chairman of the Senate Armed Services Committee, had argued that a presidential study commission should precede any green light for women fighter pi-



Guard duty in Saudi Arabia: Are trenches and tank crews next?

lots. Though they failed to preserve the aviation ban, adherents of this go-slow approach won support for a 15-member White House-named panel that would present a report to Congress next year on the feasibility of admitting women to a wide variety of combat jobs.

Supporters of the new policy argue that combat missions are an essential stepping-stone to promotions. While, for example, women account for 9.9% of the enlisted personnel and 10.5% of the officers in the Air Force, they are virtually absent at the senior-officer level. Of the service's 333 generals, only three are women. "The opponents talk about sex and toilets, but this fight is really about privilege and power," says military analyst and former Army Captain Carolyn H. Becraft.

Women are not unanimous in supporting the idea of females in combat. Even within the armed forces, combat lust is more widespread among female

officers than enlisted servicewomen. "What we're seeing," says Charles Moskos, a military sociologist at Northwestern University, "is a push by female officers and civilian feminists." Moskos and others argue that introducing the notion of combat equality may sharply reduce the number of women who enlist and could cause problems in the future if the draft is ever reinstated.

Fears that the limited measure adopted last week will lead to a major battlefield role for women are probably exaggerated. "I really doubt that it will open the floodgates," says Martin Binkin, a Brookings Institution expert on women in combat. "I don't see a lot of women eager to go." But some women do want to do the job, and in an era in which high-technology blurs battle lines and brains may edge out brawn, there is no good reason to deny them the chance.

—By Julie Johnson/Washington

AMERICAN NOTES

CRIME

Extracurricular Activities

Vincent Arthur Hall was a polite, mild-mannered disability analyst at the New York State social-services department. Away from the office he was a wild and crazy guy. In June, police say, Hall took a day off, went to a bank in Queens and threatened to blow a teller's head off unless he handed over some cash. But as he fled the scene with \$725, Hall dropped the Manila envelope he used to conceal a gun and a holdup note. The envelope was stamped with his employer's address, and although the address had been inked out, the FBI was able to track him down two weeks ago.

Federal prosecutors say Hall, 50, is suspected of robbing an additional 20 banks since April, getting away with an estimated \$70,000. What's more, he has a criminal record dating back some 20 years and spent three years in prison for killing a guard in a 1977 bank robbery. A social-services department spokesman said the agency was "aware of some of his record" but had no idea about "his alleged extracurricular activities." Prosecutors called the state's decision to hire Hall in 1981 "mind boggling."



Terror train: derailed Amtrak passenger cars

DISASTERS

Death on the Silver Star

Amtrak's Miami-New York Silver Star was barreling through a predawn rainstorm at 77 m.p.h. when the last six cars suddenly jumped the tracks and slammed into two freight cars parked on a siding. While none of the passenger cars turned over, 25 ft. of the Silver Star's stainless-steel skin was peeled back, ripping out seats and killing five men and two women. "Glass and metal were flying in," said Dave Elmers, a passenger from West Palm Beach, Fla. "It just opened up that

train like a sardine can." Said Steven Clark, a passenger from Philadelphia who was thrown from the train by the collision: "It was devastating."

The derailment, near Camden, S.C., injured at least 78 passengers. It was the worst Amtrak accident since 1987, when 16 were killed in a wreck in Chase, Md., and is the nation's eighth train wreck in two months. The cause of the disaster is still unknown, but officials from the National Transportation Safety Board suspect a faulty switch on the track. Declared New York passenger Ann Jo Rob: "This was my first time on a train. And this is my last time."

CIVIL RIGHTS

Doubts About Thomas

The nation's oldest civil rights group's opposition to the second black ever nominated for the U.S. Supreme Court showed the depth of emotion generated by the selection of Clarence Thomas to replace retiring Justice Thurgood Marshall. In announcing the N.A.A.C.P.'s decision last week, chairman William Gibson praised Thomas' personal success in rising from rural poverty in Georgia to the federal Court of Appeals but criticized his "insensitivity to giving those who may not have any bootstraps the opportunity to pull themselves up as well." Translating: liberal activists view Thomas' skepticism toward affirmative action as a fatal flaw. Within hours, the AFL-CIO's executive board joined the opposition, and the Leadership Conference on Civil Rights is now virtually certain to fight Thomas too. The latest pile-on by Thomas' adversaries poses an obstacle to Senate confirmation, which until last week had seemed a good bet. Most Senators will now suspend judgment until the Judiciary Committee quizzes the nominee next month.

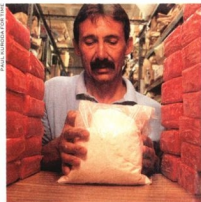
Ironically, Thomas' strongest advocate in the Senate, Missouri Republican John Danforth, last week accused the White House of "trying to turn the clock back on civil rights." Danforth had been attempting to broker a compromise between the Administration and Congress over the new civil rights bill. But Bush rejected a bipartisan plan to bar employers from demanding higher qualifications than a job requires, a practice that can tend to discriminate against minority applicants. So when the Senate returns from its August recess, it will deal with two explosive issues centering on affirmative action.



Gibson

WAR ON DRUGS

All Stacked Up, No Place to Go



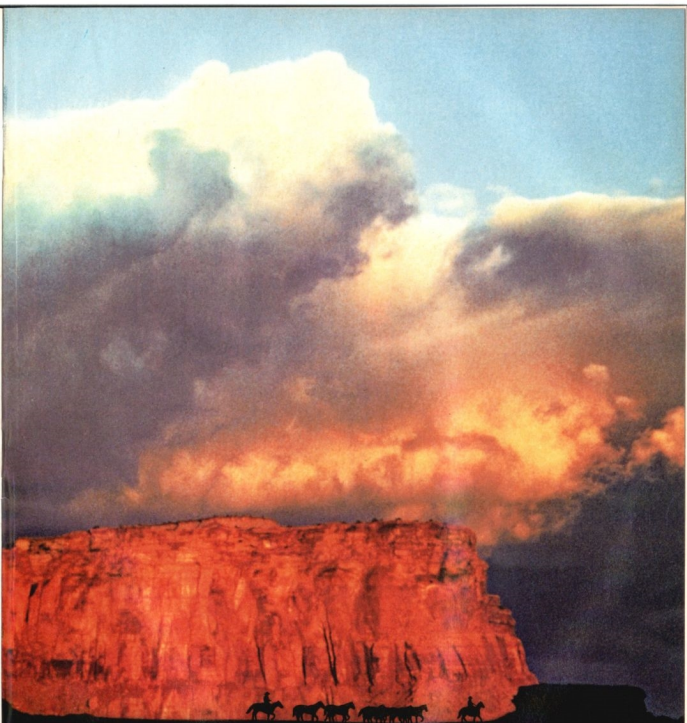
"Toxic waste" piles up in California

The good news is that California police are seizing huge amounts of cocaine. The bad news is that they don't know what to do with the stuff since a state agency declared the white powder "toxic waste." None of the incinerators that police use are equipped with the filters and scrubbers required for disposing of such substances.

Cocaine's toxic classification actually dates back to 1989, but state health officials did not publicize it, and law-enforce-

ment agencies continued to torch what they seized. But incinerator operators, alerted by word of mouth and recent news articles on the ruling, have decided to "just say no" to further shipments. Meanwhile, tons of confiscated cocaine are piling up across the state.

The U.S. Customs Service, which intercepts large quantities of cocaine crossing the Mexican border, has taken to sending the booty to neighboring states for incineration. But the cost of transporting and guarding the shipments is prohibitive for many local police departments. As a result, state officials are considering amending the state law so cocaine can once again be burned.



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As Europe's ethnic mix begins to change, some countries discover they are not as tolerant of foreign cultures as they once thought they were

By BRUCE W. NELAN

Black-clad German skinheads from both parts of the newly united country parade through the streets of Dresden to mourn their hero Rainer Sonntag, killed by a gang of pimps in a dispute over turf. Silent onlookers and 1,500 police watch as the 2,000 neo-Nazis raise their arms and shout, "Sieg heil!" and "Foreigners out!"

► Bands of young Arab men attack the highways of southern France, setting up barricades, occupying tollbooths, fire-bombing buses. They are the sons of Algerians called Harkis, who served the French colonial government during the war in Algeria, and they are demanding jobs and better living conditions.

► In a sterile, high-rise housing project in southeast London, Rolan Adams, a black teenager, steps out of one of the neighborhood's few youth clubs. A gang of whites jump him and stab him to death. Of the nine whites arrested, five are acquitted, and four still face trial. The Adams family is receiving phone calls from people who say they are glad Rolan is dead.

► Mulic Jarju, 33, a migrant worker from Gambia, started last year in a prize-winning film, *Letters from Alou*, about the plight of Africans employed illegally in Spain under conditions close to those of slave labor. Today Jarju cannot find work in Spain as either actor or laborer and faces deportation.

The collapse of the Soviet empire let the lid blow off Eastern Europe's ugly assortment of old ethnic hostilities. At the same time, for different reasons, countries in Western Europe are becoming increasingly aware of the pressures generated by their own changing racial mix. As their Muslim and African populations have increased, Europeans who for decades delighted in accusing the U.S. of bigotry and violence have discovered they



The welcome has waned: a Muslim mother and her children amid the high-rises of Marseilles

are not nearly as tolerant as they thought they were.

Altogether, 8 million legal and an estimated 2 million illegal immigrants live in the 12 nations of the European Community.* These numbers are about the same as they were 10 years ago, but the proportion of dark-skinned, poor Africans and Arabs in Western Europe is significantly higher now. Even though the overall numbers are not increasing, E.C. governments have decided they have reached the saturation point—what French President François Mitterrand calls "the threshold of tolerance."

Looking toward 1992, when the community's borders will become even more permeable, E.C. countries are working to tighten their immigration rules. The focus on immigration is a reaction to a popular belief, often fueled by incendiary press re-

ports, that migrants from abroad are taking jobs and houses away from needy citizens or living handsomely on welfare payments. There is little or no evidence for such claims, but resentment is building in one country after another.

GERMANY

No sooner had the Berlin Wall fallen than it became obvious that there were other barriers for many former East Germans to overcome. Isolated from the world, trained to distrust everyone unlike themselves, alienated German youths lashed out in a fit of xenophobia. Often their targets were workers imported by the communist regime from other Marxist countries, like Angola and Vietnam, but sometimes they were simply anyone of another race.

In Dresden last April, neo-Nazis threw a Mozambican to his death from a moving streetcar. In May they invaded a tenement in Wittenberg, forcing two Namibians off a

*Belgium, Britain, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal and Spain.



The new faces of hate: German skinheads demonstrate in Hanover, demanding the expulsion of foreigners

ACTION PRESS

fourth-floor balcony and critically injuring them. Two weeks ago, 50 skinheads stormed a center for asylum seekers from the Third World, smashing windows and pummeling residents. No one with a dark skin, police officials say, can feel safe on the streets of eastern Berlin.

This phenomenon is really "antiforeign sentiment without foreigners," says Liselotte Funcke, former Federal Commissioner for the Integration of Foreign Workers. In the five states that used to make up East Germany, foreigners account for only 1% of the population. Half of the 60,000 Vietnamese who once worked there have gone home, as have the 8,000 Cubans and all but 3,000 of the 15,000 Mozambicans.

"We have to differentiate between racism and xenophobia," says Daniel Cohn-Bendit, one of the leftist leaders of the student revolt in Paris in the late 1960s, who now heads the city multicultural affairs office in Frankfurt. "I would deny that the Germans are more xenophobic than other countries."

The surge in hate crimes in eastern Germany occurred just as the 1.6 million Turks in western Germany were becoming accepted. There is no longer widespread anti-Turkish prejudice, says Barbara John, the Berlin commissioner for foreigners. "The contrary is true," she says. "West Germans have taken to defending the Turks against antiforeign slander coming from the east."

One possible reason, officials say, is the fact that Turkish workers, most of them young and healthy, pay more into the German social-welfare and pension system than they take out. Turks opening businesses in Germany have created at least 100,000 new jobs, and their investments in the country total \$2.7 billion.

FRANCE

During the 1960s and 1970s, labor-short French businesses imported planeloads of workers. Now the welcome has waned for these immigrants, particularly for the 3

million North and West Africans and their French-born children. A government study released in June showed that 71% of French citizens said the country had too many Arabs, 45% said too many blacks, and 94% acknowledged that racism is "widespread."

Every month brings new controversy. A school expels two Muslim girls for wearing head scarves, sparking a national debate over religious freedom. Hundreds of youths, mostly Arabs, riot in a suburb of Lyons over charges of police brutality. Off-duty paratroopers attack Arabs in Carcassonne, injuring five. "There's an overdose of foreigners," the conservative mayor of Paris, Jacques Chirac, charges. Jean-Marie Le Pen, leader of the anti-foreign National Front, seizes the opportunity to claim that France is heading for "civil war."

Prime Minister Edith Cresson, who has proved herself quick with a cutting quip about foreigners, is emphasizing a tough



Refugees from the east: Albanians seek asylum in Brindisi, Italy, from the antigovernment rioting that swept their Stalinist country

immigration policy that is certain to reduce the number of North Africans in the country. All those judged illegal immigrants by "French justice," she says, "will be sent back home." Mitterrand agrees. "Enforcement of the law must be strict," he said last month. "Clandestine immigrants must go home."

BRITAIN

A poll published in July by the *Independent on Sunday* indicated that a majority of British consider their country racist. While a third of the respondents thought the United Kingdom was a bit more tolerant than a decade ago, 79% of blacks, 67% of whites and 56% of Asians regarded the nation as "very racist" or "fairly racist." A four-year study by the European Parliament accuses Britain of creating and exporting the "racist and violent subculture of the skinheads."

Strict immigration policy makes it difficult to move to Britain; only 49,000 newcomers were admitted in 1989. In the past decade, the nonwhite population rose only from 1.9 million to 2.6 million out of a total of 57 million residents. But those facts seem to make no impression on the country's racists. Between 1988 and 1990 alone, the number of racially motivated incidents of harassment or violence reported to the police jumped from 4,383 to 6,359. "Racism is on the increase and is becoming more violent," says Asad Rehman, a case-worker in London's poor East End.

Still, some believe race relations in Britain are not as bad as they are on the Continent. "There, blacks are seen as second-class citizens with few rights or none at

all," says Bernie Grant, one of four black Labour Members of Parliament. "In Britain, most black people are citizens." And they can muster some political weight. More than 500 elected members of local city and town councils are black. Nevertheless, the tabloids keep whipping up their working-class readers with improbable tales of immigrants living in luxury at taxpayer expense. In fact, says David Dibosa of the Greater London Action for Racial Equality, "White middle-class citizens have much more access to the benefits of citizenship than blacks."

ITALY

At a subway entrance in central Rome, a Senegalese street vendor displays his wares. He lives with 20 other foreigners in a three-story house with no hot water. He thinks the Italians are racist because "when we get on a bus, they move away from us."

To the Italians, these immigrants are known sneeringly as *vu cumprà*, a distorted form of the phrase *Vuoi comprare?*—"Do you want to buy? Africans and Asians can be seen everywhere, selling cheap goods on the streets, pumping gas, trying to clean windshields at intersections. According to Italy's brand-new Ministry of Immigration, 662,047 registered foreigners from outside the E.C. are in the country, and probably another 600,000 are there illegally.

Racial incidents are now commonplace. In May, Somalians demonstrated in Rome's Piazza Venezia to protest overcrowding and poor housing. A shelter for immigrants near the Colosseum was burned last January, and in Decem-

ber two gypsies were shot and killed at their campsite in Bologna. Under tougher immigration laws that went into effect last year, Italy expelled more than 6,000 illegal immigrants and turned back 13,435 from its borders in the first four months of this year.

A national poll last month showed 75% of respondents opposing further immigration. Many Italians, citing their traditions of tolerance, say they are shocked at the rise of anti-foreign feelings. But, insists the Rev. Luigi di Liegro, head of the Caritas charity in Rome, "racism is the same everywhere. It just takes shape differently in different cultures."

Among the ironies in this wave of racial hostility is that the birthrate in major West European countries like Italy, Germany and France is flat. A government-funded study published in France last month suggested the country may be forced to import more immigrant workers to fill empty jobs after the year 2000.

Massimo Livi Bacci, a professor of demographics at the University Cesare Alfieri in Florence, predicts that while populations on the Mediterranean's European north coast will barely increase over the next 30 years, those on the African south coast will rise more than 100 million. The numbers add up to an inescapable conclusion: if Europe is to find workers for all its industries and services in the years soon to come, it will have to raise its threshold of racial tolerance. —Reported by Margot Hornblower/Paris and Robert T. Zintl/Rome with other bureaus

YUGOSLAVIA

The Case for Confederation

With options ranging from secession to redrawing the map, only one holds out the promise of an enduring peace

By JILL SMOLOWE

The grandstanding and rhetoric of June gave way to the tanks and guns of July. As Yugoslavia heads into August, the fighting is spurring ever more urgent attempts to devise at least piecemeal solutions. The European Community last week dispatched three foreign ministers to Zagreb and Belgrade to secure a cease-fire in the increasingly volatile republic of Croatia. The trio arrived bearing words of peace, but without any assurance that they could engineer a truce, let alone an enduring solution. In Belgrade, sessions convened by Yugoslavia's crippled eight-member federal presidency produced door slamming and name calling—but no cease-fire.

While Belgrade fiddled, Croatia burned. Yugoslav army tanks fired from Serbia across the Danube at the Croatian town of Dalj and two nearby villages 50 miles northwest of Belgrade, killing at least 80 people. The campaign brought nearly one-third of Croatia's territory under Serbian control. The shaken Croatian leadership responded with a series of unconvincing proposals. To buttress the republic's 70,000 security forces, President Franjo Tudjman called up 30,000 reserves, then admitted that he lacked the weapons to arm them. He also revamped his Cabinet, firing his hard-line Defense and Interior ministers and seating an ethnic Serb. In a move that might have meant something a month ago but last week looked like what it was—sheer panic—government officials even floated the idea of offering cultural autonomy to Croatia's Serb-dominated regions.

With the country in such deep disarray, the contours of one ghastly solution are already emerging on the battlefield: a redrawing of internal borders along ethnic lines, accompanied by population exchanges. In a sense, it is already happening. Some 40,000 ethnic Serbs have fled across Croatia's borders, mostly into the Serbian province of Vojvodina and the republic of Bosnia-Herzegovina. The Croatian retreat from embattled zones where Serbian militias have triumphed over Croatian defense forces has dislodged tens of thousands of villagers. But a formal remapping of Yugoslavia, with its six republics and two autonomous provinces, could deepen the crisis. Historically, population exchanges have produced bloodshed and pillaging.

Moreover, if Serbia wrests territorial concessions from Croatia, what is to stand in the way of a Croatian-Serbian scheme to carve up Bosnia, where ethnic Serbs, Croats and Muslims mingle? Or a newly hatched Serbian attempt to incite Bosnia's majority Muslims against the republic's Croats?

How then to stop the lunacy before Yugoslavia erupts in wholesale civil war? The Yugoslavs have signaled that an enduring peace must be brokered internally, not imposed by external forces. The E.C. would like to oblige, but fears are growing that a European

ma to the hostile republics if their leaders would stop portraying such an arrangement as a shotgun wedding and instead looked at it as a marriage of convenience whose purpose is to promote not love but mutual interests. Of those, economic considerations rank highest. The economies of Yugoslavia's republics and provinces are inextricably linked. If Yugoslavia hopes to improve the living conditions of its people, and thus quiet the ethnic resentments that are fueled by unequal economic opportunities, the republics must act in concert. The dream nurtured by some republics that the E.C. will come to the rescue by granting them membership is folly. Other countries are ahead in line, and the E.C. will not admit any country that lacks a stable, democratic government.

Under a loose confederation, a central, democratically elected parliament and presidency would preside over truly mutual interests: foreign affairs, a pared military and a national budget, shrunk to serve national interests rather than to prop up inefficient Serbian firms. To ensure that no republic would trample on the rights



military intervention might be necessary. "The moment may not be too far away when we have to take a step forward," Jacques Poos, the Foreign Minister of Luxembourg, warned last week. The E.C.'s proposal for a three-month moratorium on independence offers the same face-saving opportunity that quieted hostilities in the breakaway republic of Slovenia. The republics' leaders could use the cooling-off period to consider how the region might be stitched together again.

For starters, Yugoslavs would have to give up hope of putting the federation back together. The linchpin of the federation cobbled together after World War II by Tito—a strong central government—is a shambles: members of the collective presidency can barely remain in the same room at the same time. Moreover, the precondition for a viable federation—the voluntary surrender of individual sovereignty by the member units—is no longer (arguably, never was) possible to achieve.

Confederation, by contrast, suggests an alliance. This word might not seem anath-

of resident minorities, a federal judiciary would define and enforce human rights. In the interests of self-preservation, each republic would respect certain borders.

In exchange for economic collaboration, each republic would have political autonomy, run its own defense forces, control its own borders and ignore the other republics as it pleases. Cultural, religious and social issues would also be decided locally. Ethnic hatreds—and certainly this would be the most difficult challenge of all—would be held in check by the perverse threat of renewed violence. If all the republics signed on to such an arrangement and exercised some restraint, each could enjoy the fruits of autonomy—while laying to rest the terrors of war.

—Reported by James L. Graft/
Belgrade and William Mader/London

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Though Cuban youngsters love to disco at the Havana Club, the establishment is designed for tourists, and the price of admission is steep

CUBA

Dancing the Socialist Line

The young in Havana may covet jeans and rap records from the U.S., but most of them say they still respect Castro and reject materialism

By CATHY BOOTH HAVANA

It is 2 a.m. Sunday in the Havana Club, but Juan Antonio isn't dancing. Madonna's disco beat befuddles his salsa-savvy feet. It's just as well. A young woman in a white micro-mini has claimed his attention—when he's not distracted by a cold, imported Heineken and the \$1.2 million club layout with its wall of cascading water. Juan Antonio, 19, has gone to heaven in Fidel Castro's Cuba. He may never be unhappy again.

He may also never be inside the Havana Club again: tickets can be bought only with dollars, and by law he is allowed to hold no more than \$5 in U.S. currency, half the price of admission. A visiting tourist pays Juan Antonio's way, but he is worried his friends will label him a *jinetero*, or gigolo. He is also worried that the police will arrest him for consorting with foreigners, so he asks that his real name not be used. His paranoia is so pervasive that he finds it

hard to believe he can wander the club floor without being stopped.

Cuba is a nation of young people. Nearly 60% of the island's 10.7 million people were born after Castro came to power in 1959. They have known only socialism. They are the healthiest and best-educated younger class in Latin America, but they are greedy for more. They yearn for capitalist fare like jeans and jogging shoes, rap records and videocassettes. They have had their fill of rhetoric and bureaucracy, of long lines for buses and *hamburguesas*, the Cuban version of an American favorite, made with pork. The most visible rebels, known as *los freekiss* (freakies), hang out in the park around Coppelia ice-cream parlor, flaunting long hair and T-shirts splashed with the logos of heavy-metal bands. But even government-approved bands like Carlos Varela sing openly of Cuba's woes. "The inequities in society frustrate the young. I couldn't make a popular song about how great

things are here now," admits American-born Cuban rock singer Pablo Menendez, a Castro supporter. "The young have created pressure for change."

The dissatisfaction is particularly acute today. Last August, Cuba tightened its rationing measures because of Soviet aid cutbacks and the long-standing U.S. embargo. Every Cuban is entitled to only two rolls a day and less than a pound of meat every nine days. Particularly painful to the fashion-conscious young is rationing that limits them to just one new dress, a pair of pants and a pair of dress shoes a year. Grandmothers hand over their yearly ration of textile coupons to the young; mothers sell their gold jewelry for consumer goods like TVs and radios. "Those under 30 are bored with the story of the revolution and are cynical about the government," says a European diplomat. "They want jobs, dollars and consumer goods."

The Pan American Games, which began in Havana last week, have instilled a



Frolicking at the beach: one dress a year is the current ration



Licking cones in Havana: craving a socialism that also provides a decent standard of living

renewed sense of pride, but the headlong rush to develop tourist hotels that are barred to most Cubans has caused resentment. "We were born into socialism, but sometimes we feel we have nothing. We can't eat where tourists eat. We can't drink where tourists drink," says an angry 26-year-old at Havana's La Playita beach. "What would Marx and Engels say to that?"

Fed up with the economic hardships and the restrictions on personal liberties, hundreds of young have set out for Florida in flimsy rubber tubes or rafts. More than 1,000 Cubans, the majority of them under 30, have survived the dangerous crossing this year. "Take me with you in your suitcase," pleads a high school student, only half in jest. After months of leniency, malcontents are again being hauled off to jails or rounded up for warnings. Local block groups, with 4 million members, have formed "rapid-reaction brigades" to nip any protests in the bud.

But Castro has not stayed in power for 32 years simply by using bloody repression. Since early 1990 he has encouraged criticism from "within the revolution," and he has promised to debate change at the upcoming October party congress, although a multiparty system and a market economy are banned from discussion. The Union of Young Communists, with half a million members, has laid on entertainment for the young, giving pop concerts on the Malecón seaside drive. Twenty-four new government discos are promised around Havana.

The Castillito complex along the Malecón, for instance, boasts two restaurants, a video room with Sony TVs, a roller-skating rink, a disco with an Italian-designed light system and a pool with cavorting men and women. The entry fee to the government-operated club is only 1 peso (6¢), a steal compared with the admission price at the Havana Club. Around Havana the youthful influence has spiced up revolutionary

slogans, which are now splashed in neon colors on the walls. *¡Simulate!* (Get involved!) says one.

Yet university teachers say it is increasingly hard to get students to believe socialism will ever provide them with the standard of living they want. "They complain about a lack of stylish clothes," says Blanca Munster Infante, 30, a professor of Marxism at one of Havana's advanced polytechnic institutes. "They don't reject socialism, but they are pessimistic about making it work. They are disillusioned."

It would be wrong, however, to assume this discontent will translate into the demise of Castro and Cuba's brand of tropical socialism. While some 175 million live in poverty in Latin America, there are no beggars on the streets of Havana. The infant mortality rate is 10.7 per 1,000 births, in contrast to 60 before the revolution. "We see socialism is difficult to achieve, but capitalism isn't the answer either," says Sierra Wald, 17. "Nobody wants Fidel to step down. People worry about what might happen without him." Young Cubans increasingly see themselves as the last idealists in a world that cares only about money. "Our society may be inefficient, but it is humane and just," says Dennys González. Says a 25-year-old teacher: "Everybody's really worried about the future, but my students don't talk about politics. They want something fresh, but they don't want to change the whole system. They just want to enjoy life."

Take the example of Paradise, a farm that lies at the end of a dusty red road on the fertile plain south of Havana. A white bust of Lenin marks the entrance. By day Paradise is where Cuba's young dirty their hands with the real work of the socialist revolution, weeding, hoeing and harvesting in fields planted with banana trees. But by night it seems more of a '60s hippie commune, with parties in the "club," El Mosquito Picante (The Spicy Mosquito) and stolen kisses in the thatched hut out back.

Ninety miles away in Miami, Cuban émigrés wish for Fidel's imminent collapse, but the island's university students who volunteer to take a two-week "vacation" in the fields don't see trouble brewing in Paradise. Marlen Fuentes, 21, her pants caked with red mud after a nine-hour day, is typical of the young Cubans who come. "We need a change," she says, "but from inside our system. We need to talk about our mistakes and find solutions inside socialism." These aren't assembly-line thinkers; they genuinely care about the gains of the revolution. "I don't have a car or a lot of jeans, but for me Cuba is more important," says Randy Alonso Falcón, 21, a student leader at the University of Havana.

As the sun set over Paradise, the students gathered for a ceremony that ended with Castro's latest call to arms: *Socialismo o Muerte!*—socialism or death. There was a barely audible laugh at the choice, but the answer came back: "*Socialismo!*" ■

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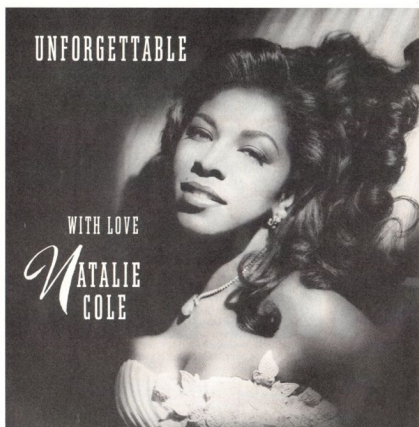
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WORLD NOTES

THE PHILIPPINES

You Can Go Home Again



Marcos: return of the native

Start packing the shoes—Imelda Marcos is free to go home. For the past five years, the exiled wife of former Philippine President Ferdinand Marcos has been barred from her native land by President Corazon Aquino's coup-plagued regime. But last week Manila lifted the ban so it could begin criminal prosecution of Marcos, who under Philippine law must be present at her trial. The aim: to recover \$350 million in allegedly ill-gotten wealth now frozen in Swiss bank accounts.

The Swiss federal court ruled in December that the money should be freed in one year unless Marcos is indicted in the Philippines on criminal charges linked to the accounts. A day after announcing that Marcos and her three children could come home, Manila filed 29 charges of tax fraud against the family, including 11 against Imelda.

The government, however, refused to allow the remains of Ferdinand Marcos, who died in Hawaii in 1989, to be returned for burial. Imelda, who lives in New York City, denounced that as "cruel" and said "it will be up to the lawyers" whether she goes home or not.

SOUTH AFRICA

Trying to Bury a Scandal

President F.W. de Klerk is often hailed for his boldness in ending apartheid, but South Africans also regard him as a cautious man. Last week he displayed both traits as he appeared to end stonewalling on "Inkathagate," the scandal over disclosures that Pretoria interfered in black politics by secretly funding Inkatha Freedom Party, a rival of the African National Congress. Denying that he had a double agenda, De Klerk nonetheless sidelined two Cabinet members at the center of the doubts about the government's integrity: Defense Minister Magnus Malan and Law and Order Minister Adriaan Vlok. But rather than dismiss them, as demanded by the A.N.C., De Klerk appointed

them to other Cabinet posts.

De Klerk also fell short of satisfying demands for an independent inquiry. The President did, however, invite prospective witnesses to alleged police misconduct against the A.N.C. to testify at a standing government board of inquiry. De Klerk announced that a panel of private

citizens would now monitor covert funds, and said he had an "open mind" about a proposed interim government to rule impartially during negotiations on a postapartheid constitution. A.N.C. officials said the moves were insufficient but hinted at a willingness to put the Inkatha affair behind them.



Minister Adriaan Vlok: sidelined for his role in Inkathagate

KENYA

A Night of Madness

Sometimes it takes a tragedy to startle people from the complacency of old—and destructive—attitudes. On July 13, Kenyans received such a shock, when 271 teenage girls were attacked during a rampage by

dozens of their male classmates at St. Kizito, a boarding school in central Kenya. Chased into a corner of the dormitory where they were trying to hide, 19 girls died of suffocation in the crush. Doctors say another 71 were raped. Last week 29 boys ages 14 to 18 were charged with manslaughter; two were also charged with rape.

The assaults were rendered

all the more chilling because of the dismissive note struck by some officials. The *Kenya Times* quoted Joyce Kithira, the school's deputy principal, as saying, "The boys never meant any harm against the girls. They just wanted to rape." The episode is forcing Kenyans to re-examine attitudes that have long permitted rape to be a part of many girls' school years.

BRITAIN

Soggy Crowns



Singing in the rain: Pavarotti with a drenched Di and Charles

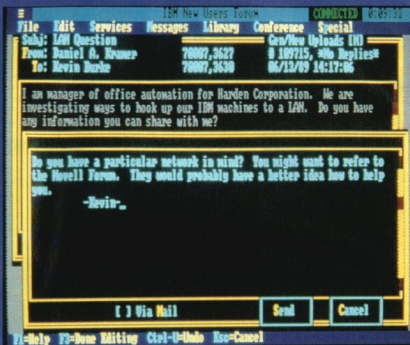
Even into a royal life a little rain must fall, as the Princess of Wales discovered last week, when she was caught in a down-

pour during an open-air concert given by Luciano Pavarotti in London's Hyde Park. The occasion, which marked the 30th anniversary of Pavarotti's first major performance, also marked the ninth time in a month that Diana, possibly attempting to squelch growing rumors of marital discord, appeared in public with husband Charles. After huddling under plastic sheeting with a towel over her head during most of the 90-minute program, Diana emerged with dampened hair and less than immaculate clothes. But she still managed to look good when she went backstage to congratulate the *grandissimo* opera star. Which only proves that Di is fit for reign.

TECHNOLOGY

What New Age?

High-tech gizmos for home and office are readily available but underused. The Information Age just isn't all it was cracked up to be . . . yet.



Computer screens have failed to replace old-fashioned paper in the office

By THOMAS MC CARROLL

About a decade ago, Reliance Insurance launched an ambitious office-automation project with the slogan "Paper Free in 1983." The Philadelphia-based insurer had the words emblazoned on wall posters, coffee cups, stationery and lapel buttons. It invested millions of dollars in information technology, including thousands of computers, an electronic-mail system and a brand-new telecommunications network. Managers waited for worker productivity to explode.

They're still waiting. Today Reliance is anything but paper free. Memos and forms proliferate as never before. Employees shun the computerized mail system. And productivity gains have been nil. While the company has curtailed its spending on automation, it has not abandoned its ambition. "It was not a realistic goal in 1983," concedes senior vice president Ronald Sammons, "and it isn't a realistic goal in 1993. Maybe in the year 2003."

Reliance is not alone. Since the early 1960s, when assorted gurus proclaimed the imminent arrival of the Information Age, businesses and consumers have been eagerly awaiting its coming—and with it, the "paperless" office and the "cashless" society. Among the techno-prophets' predictions: home shopping, electronic libraries,

personal computers on every desk, soaring worker productivity, uninterrupted growth. As a result, thousands of companies invested heavily in information technology in hopes of gaining a competitive edge. Other firms, including hardware manufacturers and software developers, placed equally large bets on supplying the markets for home and office automation.

Well, the Information Age is here, but it hasn't exactly lived up to its advance billing. While more people are working with their heads rather than their hands, and more than a third of the nation's \$5.5 trillion GNP is generated by ideas rather than manufactured goods, white-collar productivity is no higher now than it was 30 years ago. The paperless office remains a secretary's fantasy. Paper-killing technologies like electronic mail and voice processors go largely unused—too complicated—while paper-generating devices like fax machines and copiers are used to the point of abuse. As for the cashless society, most consumers have thumbled down such gee-whiz financial services as electronic banking, home shopping and debit cards.

The pot of gold at the end of the information-technology rainbow remains elusive. Citicorp has watched close to \$200 million go up in smoke since 1985. Its first major information-service investment, a joint venture with McGraw-Hill to supply electronic data on prices and market activity to oil trad-

ers, flopped after a year. Earlier this year, Citi pulled the plug on a computerized information service aimed at grocery shoppers. Knight-Ridder lost about \$50 million in a failed home-shopping service. And in its ambitious effort to make paper vanish, Wang Laboratories itself almost disappeared when it bet the ranch on manufacturing expensive document-scanning and imaging systems that nobody wanted. Says David Goulden, a Wang vice president: "The market's been a disappointment."

The Information Age just hasn't been able to meet overexpectations. Some technologies have worked as promised; others haven't. For every success story like compact discs or Nintendo, there are fizzes like picture phones and home computers. And in some glaring instances, the industry has been its own worst enemy. The sale of credit information by companies like TRW and Equifax hurt the market for automated credit services; sleazy, heavy-breathing 900-number telephone services created a mounting backlash against audiotext.

A growing number of markets are reaching the saturation point. Cable TV is available to 90% of all U.S. households, nearly three-quarters of all homes have a videocassette recorder, and most people who want a personal computer probably already own one. Rampant price cutting—a sure sign of maturation—is putting a squeeze on profit margins industry-wide.

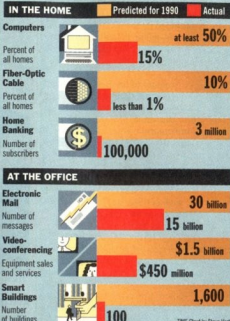


Video telephones: a sound idea, but not yet in the picture for consumers

PHOTO BY GUY LAWRENCE FOR TIME

EXAGGERATED EXPECTATIONS

The information industry in the U.S. had high hopes for a wide range of products and services. But not all the predictions panned out. Here are some examples of heavy shortfall.



In fact, the \$500 billion information industry—which encompasses everything from the media to computer software to telecommunications—is in its biggest slump ever. Gone are the go-go days of 20% annual growth. Sales peaked in 1987 but rose only 9% in 1989 and 6% last year. This year the industry will be lucky to grow at all.

Despite the slump, industry executives point out that the information business is still growing faster than autos, steel and airlines. What's more, technological improvements and new developments keep coming. What's happening now, says David Fullarton, president of the Information Industry Association, is simply a transition phase: "These are merely growing pains."

Most deflating has been the market for office automation, the largest component of the industry. Sales of hardware and software were good—up 7% to \$300 billion—but not great compared with the 18% growth during the '80s. Though the category contains everything from laser printers and multifunction telephones to electronic-mail systems, the staple of office automation remains the computer. During the 1980s, Corporate America spent about \$98 billion on 57 million personal computers.

But have computers made workers more productive? Stephen Roach, a senior economist at Morgan Stanley, says white-collar productivity has been stagnant since the 1960s. By contrast, blue-collar produc-

tivity has improved by a factor of four. "Companies thought that by simply buying boxes they would somehow make people work harder," says Roach. It didn't happen, Roach discovered, largely because the technology failed to reach the top: while back-office support jobs have been automated, less than 10% of senior executives even use personal computers.

Other, more exotic technologies have produced disappointment as well. Videoconferencing has largely flopped as a substitute for business travel because costly systems—they range up to \$20,000 in price—have failed to transmit clear, crisp images and audio signals. Users complain that they are prevented from swapping notes and documents and cannot ensure privacy. They grouse about having to leave their offices and miss phone calls to use the special rooms set up for videoconferencing.

So-called smart buildings have bombed as well. Experts predicted that companies would trip over one another trying to move into offices where all the computer and telephone equipment was prefurnished. They assumed that companies would pay up to a 20% premium to rent space in offices where the temperature, lighting and talking elevators were all smartly computerized. The experts were wrong. Many companies preferred shopping for their

own office equipment and opposed paying extra for chatty elevators.

Other technologies, like electronic mail, worked as promised but failed to overcome human habits. "E-mail" was supposed to put an end to memos, note pads and letters. Readily embraced by techie types, it was shunned by secretaries and others because it proved too difficult to use. In 1988, for instance, ice-cream maker Ben & Jerry's Homemade installed an E-mail system to serve the 200 staff members at its Waterbury, Vt., headquarters. But less than 30% use the system. Says Christopher Lamotte, a B&J inventory coordinator: "There are too many options, and every option has suboptions. It's easier to just pick up the telephone."

For many companies, home is where the market for information technology was supposed to be. But consumers have been even more resistant than businesses.

While they have purchased audio players and video recorders, people have by and large shunned high-tech products and services like personal computers and electronic shopping. While big corporations were infected with PC mania during the 1980s, households remained largely immune. There are far fewer homes with PCs than analysts predicted, much to the chagrin of manufacturers like IBM and Commodore. Another loser: the picture telephone. First introduced by AT&T at the 1964 New York

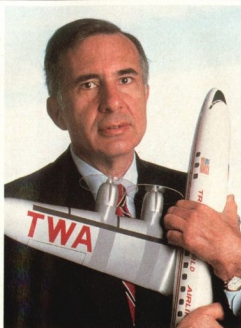
World's Fair, it allows callers to see as well as hear each other. But consumers considered the device—at \$8,000 a set—not only too expensive but awkward. Undaunted, Sony unveiled a less expensive videophone using a still image but withdrew the product in 1988 because of consumer indifference. Mitsubishi discontinued its Visi-Tel picture phone earlier this year, selling the entire inventory of 38,000 phones at a deep discount to the Home Shopping Network.

The breakup of the Bell Telephone System more than seven years ago appeared to place the industry at the threshold of a quantum leap into the Information Age. But the telephone companies were legally barred from the computerized-data business. Last month U.S. District Court Judge Harold Greene brought the future closer by freeing the Baby Bells to use their phone lines to provide such services as electronic Yellow Pages and home shopping.

So far, the electronic-data business has had a spotty record. In the early 1980s, for instance, a number of home-banking services were launched; some 3 million customers were expected to sign on. But only 100,000 households use computer-banking services. Predicts a former customer, Katherine Dallam, 34, a small-business owner: "The future won't arrive for electronic banking until they find a way for you to make withdrawals and deposits from home." Other failures include ventures backed by Times Mirror, Chemical Banking and Time Inc. With their advantage in size and experience in selling over-the-phone services, the Baby Bells are convinced they will succeed where others have failed.

But the real explosion in electronic services may have to wait until U.S. homes are rewired with hair-thin fiber-optic cables that can carry hundreds of times as much information as old-fashioned copper cable. So far, the fiber-to-home project has been bogged down in Washington politics. The technology exists, but the question is, Who pays? It will cost an estimated \$150 billion to \$500 billion to rewire America. Regulators have opposed phone-industry attempts to stick ratepayers with the bill. Cable-television companies, meanwhile, are also overlaying their old networks with optical fiber. With fewer restrictions on who picks up the tab, cable-TV concerns could rewrite more homes than the telephone industry.

Despite the plethora of problems, no one should dismiss the Information Age as little more than a will-o'-the-wisp. It would certainly be a mistake to repeat the glowing predictions of the past. But it would be equally foolish to pronounce the Information Age a hoax. If the industry is to meet its own projections, however, it must recognize that most people are intimidated by even moderately high-tech products—think of programming a VCR—and must refine its products and services accordingly. But all that may be just part of the Information Aging process. ■



He is determined to hold on to one of his favorite things

AIRLINES

Struggling to Stay Aloft

Carl Icahn makes a pact with TWA's creditors, but can he avert a nose dive?

TWA owner Carl Icahn may not know much about running an airline, but then, many of those who did have gone out of business during the past few tumultuous years. Unlike most of them, Icahn is a crafty dealmaker. Last week, cornered by bondholders who threatened to push his troubled airline into involuntary bankruptcy, he struck an agreement that may save it. Before the deal can fly, though, it must pass inspection by both the Securities and Exchange Commission and a bankruptcy court. Even then, TWA will face a steep climb against extremely powerful competition. Admits the blunt-spoken financier: "This is not an investment for a widow. How it will fall out, I don't know. But I think that we have a good shot."

The key to Icahn's strategy is a so-called prepackaged Chapter 11 agreement under which TWA will shed almost half its \$2.4 billion in debts and emerge from its reorganization with \$400 million in operating cash. Similar to the arrangement that Donald Trump fashioned with his bankers earlier this summer, such a deal eliminates much of the uncertainty that managers face when they surrender control of a tattered enterprise to a bankruptcy judge. In-

stead, the owner and creditors present the judge with a solution acceptable to all. If the complex TWA agreement is approved, the carrier may swoop in and out of Chapter 11 in a couple of months, escaping the kind of cloud that now hangs over Pan Am, Continental, America West and Midway as they endure lengthier bankruptcy proceedings. Says Icahn: "A free-fall Chapter 11 kills your revenues. The way we're doing it, TWA will survive."

Maybe so. Icahn won't do badly either. Even though owners of TWA's common stock would get nothing under the proposed deal, Icahn, who owns 90% of the stock, will benefit. Another portion of the agreement gives most of the stock in the restructured firm to owners of TWA's mostly worthless bonds. As the airline's largest bondholder, Icahn will receive a 20% stake in the company. He has agreed to pay \$35 million for bonds and stock worth an additional 25%.

All in all, Icahn has managed an impressive financing feat, maintaining control and getting 45% of a healthier company for a pittance.

While TWA will emerge with a cleaner balance sheet, it is still stuck with a frayed route structure and one of the oldest fleets in the world (80% of its jets are more than 10 years old, vs. 35% for industry leader American). Says Edward Starkman, who follows the airline industry for Paine-Webber: "TWA is one of the great weaklings of the business. The capital required to turn this company around would make your head spin: tens of billions of dollars in new planes alone."

Icahn dismisses such criticism. One reason so many of his competitors have gone under, he argues, is the very fact that they invested too heavily in new planes. Says he: "Most of these airline guys, if they're feeling down one day, if they're sick, you know what they do? They buy a plane. It's like an alcoholic buys a drink. Today you have a glut of planes." Icahn insists he can spruce up his fleet by leasing planes at bargain-basement prices.

Having tentatively stabilized TWA's finances, Icahn is bidding against industry giants Delta and United for choice Pan Am routes to Europe. He may have help from American, which does not want its large rivals to capture those assets. TWA could finance the deal by selling some of the routes to American and keep some to bolster its own strength. Icahn has always insisted that an executive with his own money on the line makes a better manager. Now he's got to prove it.

—By Janice Castro.

With reporting by Jerome Cramer/Washington and Michael Quinn/New York

SCANDALS

Cashing In on Blue Chips

Mounting evidence discloses the stunning extent to which B.C.C.I. bought its way into the inner circles of power

By JOHN GREENWALD

In a drab Senate hearing room fittingly dominated by a vast map of the world, witnesses gave the first public testimony last week in the biggest and most brazen financial scandal of all time. Speaking in blunt terms that brought gasps from the packed chamber, they charged what *TIME* and other media reported in July: the criminal enterprise known as the Bank of Credit & Commerce International thrived as a \$20 billion worldwide cash conduit for thugs ranging from terrorists to *narcotraficantes*, while Washington and other capitals turned a blind eye. "This is a story of big-time, big-money con artists," said Massachusetts Democrat John Kerry, chairman of the Senate Foreign Relations subcommittee that held the two-day hearings. "It's a story of international lawlessness and extraordinary greed, which is becoming the centerpiece of recent history."

The sessions were part of a global offensive of probes and law-enforcement actions against the rogue bank, which regulators seized last month in most of the 69 countries where it operated. The latest moves shed harsh new light on the shadowy institution and brought it fully and irrevocably into the public arena, where it promises to become a hot political issue in the U.S. and elsewhere for months to come. Among last week's developments:

► A New York State grand jury indicted B.C.C.I. and its two principal officers for fraud, bribery, grand larceny and money laundering after a two-year investigation led by Manhattan District Attorney Robert Morgenthau. B.C.C.I., said Morgenthau, had looted depositors of more than \$5 billion in "the largest bank fraud in world history." Named as defendants were Agha Hasan Abedi, the Pakistani founder of B.C.C.I., and countryman Swaleh Naqvi, who had been the bank's chief operating officer. But bringing the pair to trial could prove impossible. Pakistan said last week it will refuse to extradite the ailing Abedi, 68, who is a hero in his homeland for organizing the Third World's largest bank.

► The Federal Reserve Board fined B.C.C.I. \$200 million for illegally acquiring control of three prominent U.S. banking institutions. Chief among them was First American Bankshares, Washington's largest bank holding company, which is headed by former Defense Secretary Clark Clifford

and his law partner Robert Altman. Clifford and Altman, who served as attorneys for B.C.C.I. throughout the 1980s, have denied knowing it owned First American. The other two secretly owned banks were the National Bank of Georgia, which Ghaith Pharaon, a Saudi tycoon and B.C.C.I. front man, acquired from Carter Administration official Bert Lance, and Miami's CenTrust Savings. Pharaon used B.C.C.I. funds to become a partner of financier David Paul, who built CenTrust into a giant house of cards before it collapsed last year at a cost to taxpayers of more than \$1.7 billion.

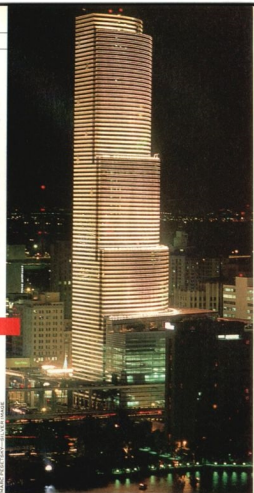
► Kerry released part of a 1986 CIA memo warning the Treasury and State departments that B.C.C.I. had secretly owned First American since 1982. Yet the Reagan Administration apparently did nothing in response to the document. On Friday, CIA Deputy Director Richard J. Kerr confirmed that the agency had used B.C.C.I. to move money around the world; other sources confirmed that the Defense Intelligence Agency, which monitors other nations' armed forces, had transferred funds through the bank. But the CIA's Kerr said his agency had "aggressively" targeted the bank for intelligence gathering because, "from the early 1980s, it was obvious it was involved in illegal activities such as money laundering, narcotics and terrorism." According to the Washington *Post*, sources said that the CIA began closing its accounts when it realized the bank was "dirty" and that all agency accounts were closed by 1989.

► Peru launched a government-wide probe of charges that B.C.C.I. gave two central-bank officers \$3 million in bribes in return for their depositing \$200 million of Peruvian funds in secret B.C.C.I. accounts in Panama. Officials denied the allegations, which were part of the Manhattan indictment against B.C.C.I. But they said they had deposited money with B.C.C.I. because threats by former President Alan García Pérez to reduce Peru's foreign-debt payments had scared off other banks. At the same time, a Peruvian representative to the World Bank who once worked for B.C.C.I. quit his post.

► A London court halted the liquidation of B.C.C.I.'s British branches until December

MIAMI

B.C.C.I. found an ideal partner in David Paul, below, and his founding CenTrust S&L—a \$1.7 billion failure





to give Sheik Zayed bin Sultan al-Nahayan, the ruler of Abu Dhabi who acquired control of B.C.C.I. last year, a chance to rescue depositors and develop a plan to reopen a cleansed and scaled-down version of the global bank. Zayed immediately put up \$84 million to help rescue the 120,000 British customers who had entrusted \$400 million to B.C.C.I.

Even as countries strove to pierce the veil of deceit and corruption that shrouds B.C.C.I., fresh disclosures of the bank's influence peddling came to light. TIME has learned that Pharaon helped keep CenTrust open for a year longer than its bankrupt condition warranted after acquiring a total of 1.5 million CenTrust shares, or more than 5% of the S&L's stock, in 1988 and 1989. CenTrust was so shaky by late

WASHINGTON

First American Bankshares president Robert Altman, below, helped B.C.C.I. win respectability in the American power establishment

1988 that regulators for the Federal Home Loan Bank Board in Atlanta had decided to shut it down.

Pharaon and Paul, who is a target of a Miami grand jury investigation of CenTrust, struggled to keep the institution's doors—and coffers—open. Pharaon assured regulators that he was backed by oil-rich Arabs who would keep CenTrust solvent. When that tack failed to deter officials, Pharaon and Paul flew CenTrust's corporate jet to Washington to give similar promises to M. Danny Wall, who chaired the Home Loan Bank Board at the time. (Wall recalled the meeting in an interview but said he could not remember the outcome.) After the session, regulators said CenTrust could remain open by selling bonds to shore up its capital. But when few investors bought the offering, Pharaon ponied up \$30 million to keep CenTrust afloat.

But once regulators let CenTrust stay in business, B.C.C.I. whisked the \$30 million back into its own accounts. By the time CenTrust formally went bust in 1990, the yearlong delay in closing the thrift may have cost American taxpayers as much as \$1 billion in extra bailout expenses.

Just as Pharaon came to CenTrust's aid, so members of Washington's power elite have frequently gone to bat for B.C.C.I. Jack Blum, the former chief investigator for Kerry's subcommittee, stunned the hearing last week by declaring that Altman and Clifford advised Amjad Awan, a B.C.C.I. official who had run the bank's Panama office, to flee the U.S. for Paris in 1988 to avoid a congressional subpoena. Altman, a fast-rising star in Washington legal and social circles, then reportedly arranged for B.C.C.I. to transfer Awan to Paris. But Carl Rauh, an attorney for Clifford and Altman, denied the account as "completely false."

Pronounced Rauh: "It never happened."

In any case, Awan stayed put in 1988 and was arrested by law-enforcement officers investigating the bank's U.S. money-laundering operations. The hapless Awan, who had been personal banker to Noriega and others, was convicted of money-laundering charges with four other B.C.C.I. officers in Tampa last year and sentenced to 12 years in prison.

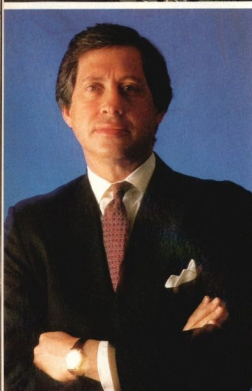
Despite the Tampa convictions, which required B.C.C.I. to forfeit \$15 million of its money-laundering profits, Blum and former customs commissioner William von Raab elaborated on their earlier descriptions of the Justice Department's Florida case as a law-enforcement debacle. "I was personally infuriated," Blum said. He argued that the plea bargain gave B.C.C.I. immunity from future prosecutions based on evidence in the case—a charge that Justice disputes. Von Raab, sporting a yellow handkerchief that drooped flower-like from his breast pocket, called the settlement "a shameless agreement" and "a disaster in terms of the punishment that should have been meted out." He said B.C.C.I. had raked in some \$200 million from the money-laundering scheme, which undercover customs agents exposed in a sting operation.

Von Raab charged that the Bush Administration had taken a "lackadaisical" approach to prosecuting B.C.C.I. in part because the bank used Beltway insiders such as Clifford and Altman to lobby federal regulators. "If you were to look at the Rolodexes at B.C.C.I.," he said, they would show "the blue chips of Washington influence peddlers." As a result, he said, "senior U.S. policy-level officials were constantly under the impression that B.C.C.I. was probably not that bad because these good guys who they play golf with all the time were representing them."

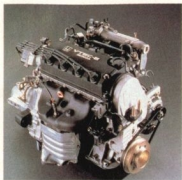
Law-enforcement officials bristle at charges that their work has been impeded by anyone in or out of government. Says Robert Mueller, who heads the Justice Department's criminal division: "At no time have we been approached by any intelligence agency or the White House and told to shut down or slow down an investigation we're doing related to B.C.C.I. At no time have they suggested we shift the course of our investigation."

Whatever the reason, regulators around the world certainly allowed B.C.C.I. to flourish far too long. The alliance with Altman and Clifford's First American Bankshares was clearly—and apparently successfully—designed to win respectability in the American power establishment. The link with Paul's CenTrust S&L was a pipeline to the fast-buck financial arrivistes of the '80s—a joining of hands by what history may well describe as the two great scandals of the century.

—Reported by Jonathan Beatty/
Los Angeles, Helen Gibson/London and Bruce
van Vorst/Washington



BUSINESS NOTES



Honda's new engine: up to 65 m.p.g.

AUTOMOBILES

Bad News For Detroit

To meet government-mandated fuel-economy standards and still satisfy drivers' demands for performance, carmakers are constantly struggling to boost mileage without cutting power. Last week in Tokyo, Honda and Mitsubishi simultaneously said they have developed engines that can increase mileage up to 20% without cut-

ting performance. Honda's VTEC-E engine, which the company says can get up to 65 m.p.g. on the highway without sacrificing power, will be offered in the Civic Hatchback VX, which makes its U.S. debut later this year. The new engine, which will eventually be available in all Honda models, is likely to be slightly more expensive.

The breakthrough is most unwelcome news for the Big Three—already hurting because of perceived shortcomings ranging from mileage to quality control. "It's probably giving the boys in Detroit a few sleepless nights," said Joseph Philippi, an automotive-industry analyst at Shearson Lehman Bros. in New York City. "The Big Three say that they have similar technology, but Japan puts it in the showroom." The Japanese now command roughly 25% of the U.S. auto market, a 5% gain in three years.

LITIGATION

Uri to Timex: Do You Mind?

A fork, a key and a watch are placed on a metal table by a white-smocked scientist. A sepulchral figure grimaces with concentration as, by the power of mind alone, he bends into mangled lumps of metal the fork and the key, then the legs of the table and finally even the chair he is sitting on. Yet the watch barely shudders. "Timex," intones an announcer. "It takes a ticking and keeps on ticking." At last, television viewers understand that they have been watching a sly parody of both the famous Timex slogan and the sort of magic act often performed by such self-professed psychics as Uri Geller.



Above, Uri Geller the "psychic." Below, Tim Dry the actor.

Among the unamused: Geller himself. After the ads aired in 1989, he sued Timex and the advertising firm Fallon McElligott, which created the spot, for a very down-to-earth \$8 million. Geller asserted that Timex used the fame of his "psychic abilities" to sell their watches. But last month a New York district court judge threw out four of Geller's five claims, such as the assertion that the ad violated his right to control his own image and publicity. The case will now proceed on the sole claim that Tim Dry, the actor featured in the commercials, "was sufficiently similar to the plaintiff to create the likelihood of confusion among the public," an allegation that the watchmaker firmly rejects. You be the judge.

ENTERTAINMENT

Will Tyson Do The Encores?

What fan of pay-per-view television duels could resist such an event? In this corner, the operatic heavyweight from Modena, Italy, Luciano Pavarotti! And in this corner, that Iberian emoteur, champion tenor Plácido Domingo! The kings of the high Cs will head a list of stars on Sept. 23, when a 25th-anniversary gala at the Metropolitan Opera in New York City is

broadcast in a way usually associated with professional punch'em-ups: live pay-per-view television.

The price tag for the home viewer will be as elevated as the entertainment—a glass-shattering \$34.95. Presenters Cablevision, NBC Cable and Polygram are obviously hoping that the success of pay-per-view pugilism will be duplicated among opera lovers. The gala is described as "the first in a long-term agreement" with the Met, which currently presents free PBS opera broadcasts.



Pugilism and vocalism: Tyson and Domingo come to pay-per-view TV.

BROADCASTING

Tom Brokaw Goes Public

If you see NBC News anchor Tom Brokaw on PBS next summer, your TV isn't broken. NBC and the Public Broadcasting Service last week announced an unprecedented partnership for the 1992 presidential conventions. The rivals will jointly produce programming for PBS.

Brokaw will appear on PBS with Robert MacNeil and Jim Lehrer, and solo on NBC. The deal provides NBC with a graceful way of covering the conventions without sacrificing lucrative entertainment shows, since its own coverage won't begin until 9:30 p.m. With viewership dwindling, the conventions have become an expensive duty for the networks. Still, they are loath to offend politicians, who regulate broadcasting.

DIPLOMACY

Horse with a Track Record

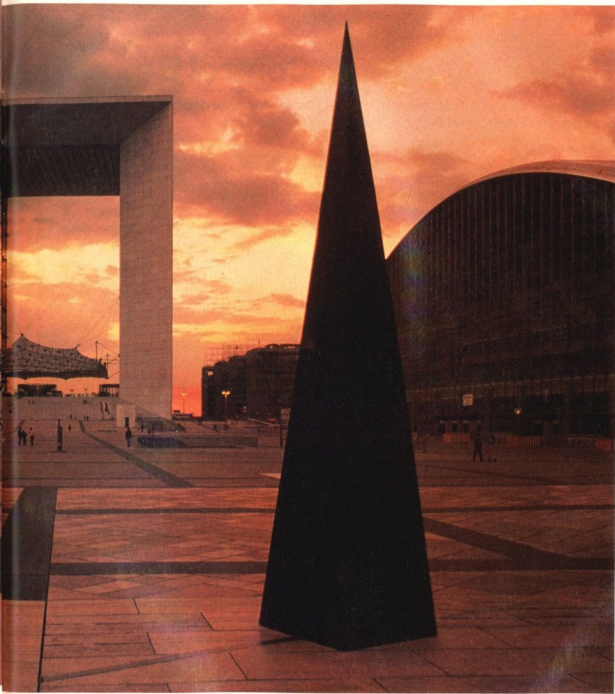
The crowning moment at last week's Moscow meeting was the ceremonial toast between George Bush and Mikhail Gorbachev. The chosen potable: Summit Cuvée, a California sparkling wine made especially for the occasion. The bubbly blend of Chardonnay and Pinot Noir was made by the Iron Horse Vineyards in Sonoma

County, Calif., just west of—you guessed it—the Russian River. Gary Walters, chief usher at the White House, serving as First Wine Taster, made the selection. "The Soviets enjoy a little more sugar in their sparkling wines," says Walters. So the White House asked the winery to sweeten three cases of its Iron Horse 1987 Brut (\$21). This was Iron Horse's third summit: it was served in Geneva in 1985, when Ronald Reagan and Gorbachev first met, and in 1987 in Washington.



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Why Isn't Our Birth Control Better?

Policies, politics and prudery are making it harder for Americans to control their own reproduction—especially compared with Europeans

By PHILIP ELMER-DEWITT

A portrait in American fecundity: every day hundreds of young women, their bodies roundly pregnant, descend on the University of Southern California Women's Hospital. They overflow the available chairs and sprawl awkwardly on the floor. They come for prenatal checkups, gynecological care and, finally, to deliver their young. Last year more than 18,000 babies were born in this building, roughly 1 out of every 200 babies born in the U.S. "Sometimes they are lined up in the hallways and stacked up for C-sections like planes at LAX, six or seven deep," says obstetrician-gynecologist David Grimes.

But this busiest of U.S. obstetrics units also symbolizes an American failure: the extent to which the birth control revolution has not fulfilled its promise in the country where it began. Three decades after the Pill was introduced in the U.S., a shocking number of the 58 million American women of childbearing age still find it difficult to control their own reproduction, especially compared with women in other countries. Teenage pregnancy in the U.S. is more than double that of European countries, and the nation's abortion rate—1.6 million a year—is one of the highest in the developed world. All told, more than half of all American pregnancies—3.4 million out of 6 million each year—are accidents, the result of missing contraceptives, using unreliable contraceptives or using no contraceptives at all.

The sorry state of birth control in America is underscored in a report prepared by the Population Crisis Committee, a nonprofit research group based in Washington. The committee found not only that Americans have fewer contraceptive options than their counterparts in most developed countries, but also that contraceptive devices are more expensive and more difficult to obtain in the U.S. than in some parts of the Third World.

While scientists around the globe are making rapid progress deciphering the dance of hormones that makes pregnancy possible—work that raises new strategies for blocking conception—the major American pharmaceutical companies have all but



Soon-to-be moms line up for checkups at the nation's busiest obstetrics unit, in Los Angeles.

abandoned the field. Of the nine doing research in contraceptives 20 years ago, only one (Ortho Pharmaceutical) is still active. The others have been scared off by the fear of costly lawsuits like the one that drove the maker of the Dalkon Shield, an intrauterine device, into bankruptcy, and by public controversy such as that surrounding RU-486, the French "abortion pill."

Most of the world's governments encourage family planning and even subsidize the use of birth control devices. The U.S. stands out as the only major industrialized country that is moving in the opposite direction. Over the past decade, Washington has halted federal research on new reproductive technologies and declined to approve some of the most promising new methods of birth control.

There have been some improvements in U.S. contraceptive options, but they have been incremental rather than revolutionary. Manufacturers of the Pill have developed low-dose versions that avoid most of the side effects associated with earlier varieties. IUDs have improved greatly in the past decade

and are now about as safe and effective as the Pill. And owing largely to the fear of AIDS, the condom, which dates back to the age of the Pharaohs, has come out from behind the pharmacists' counters and is now prominently displayed at stores across the U.S. in various colors, shapes and sizes.

Even the Food and Drug Administration-sanctioned Norplant—the long-lasting hormone implant hailed as the first new contraceptive device approved for use in the U.S. in three decades—is really a repackaging of the same chemical used in the Pill. Norplant is housed in matchstick-size tubes and inserted under the skin of a woman's arm. Its main advantage is that it does not depend on someone's remembering to take it

every day. But it can cause irregular bleeding, and its cost (up to \$1,000) puts it out of the price range of many who need it.

In Europe sexually active couples can choose from a wide selection of contraceptive approaches that includes more than two dozen different kinds of pills, monthly and bimonthly contraceptive injections,

**3.4 million of
the 6 million
U.S.
pregnancies
each year are
unplanned**



A federal gag order will soon prevent family-planning clinics such as this one in Chicago from advising women about abortion. That policy and limited birth control options prompted a protest rally in Manhattan last month.

and an IUD that boosts its effectiveness with the slow release of hormones. The big news this summer is Britain's decision to become the second country—after France—to approve the sale of RU-486, the controversial postcoital contraceptive.

Carl Djerassi, the Stanford chemist who helped develop the original Pill in the early 1950s, calls RU-486 "the single most important new development in contraception of the past two decades." Reason: it gives women, for the first time, a relatively safe way to avoid pregnancy *after* they have had unprotected intercourse—thus fully removing the decision to exercise birth control from the decision to have sex. Basically, RU-486 is a menses inducer. Used in conjunction with a prostaglandin, it brings on a woman's period whether or not she is pregnant. Although there has been one death associated with its use (triggered by an allergic reaction to the prostaglandin), it is considered fairly safe. Several states, including conservative New Hampshire, are lining up to become test sites to speed its adoption in the U.S.

That is not likely to happen soon. Right-to-life groups have made opposition to the "French death pill" a rallying cry and have vowed to boycott not just its but all products made by any drug company that dares distribute it in the U.S. They argue

that the notion of postcoital birth control is just abortion by another name; in addition, they are not enamored of the idea of separating sex from its consequences. "The problem is not that contraceptives are not available; the problem is that many people are not behaving responsibly," says Allan Carlson, president of the traditionalist Rockford Institute.

That attitude, which has come to dominate federal policy, indicates that the real dispute in America is not so much about abortion or contraception as it is about sex and values. American culture is a strange blend of prurience and prudery that tends to lead to the worst of both worlds: movies and magazines that exploit sex and teach kids that it's glamorous and free of consequences, combined with a skittish denial of the facts of life that makes it hard to teach those kids how not to get pregnant.

"Many American women are grossly misinformed," says U.S.C.'s Grimes. For instance, 31% of American women in a 1985 Gallup poll indicated their belief that birth control pills cause cancer, when in fact the evidence shows that for nonsmokers the Pill actually reduces the risk of ovarian and endometrial cancer. Europeans are much better at putting sex—and birth control—in its place. Despite their Roman Catholic heritage, the French schools conscientiously

provide sex education during which birth control and abortion are frankly discussed.

It would be a mistake, however, to blame the paucity of new contraceptive devices in the U.S. just on puritanical attitudes and conservatism. One group that would have been expected to be contraception's natural constituency, feminists, has been more vocal in pointing out the dangers of various devices than in promoting their use. The positive result was the development of the new low-dose pills. The negative effect was that thousands of women abandoned the Pill altogether.

The National Academy of Sciences last year called for an infusion of federal dollars into contraceptive research, better sex-education programs and protection from liability suits for manufacturers who want to get back into the birth control business. But under the current Administration such actions are unlikely. Meanwhile, sexually active Americans are often left with an inadequate range of options: make the best of the contraceptives they have, choose to be sterilized, or turn to abortion when all else fails. With the last option under increasing legal challenge, the choices at the turn of the century are likely to be narrower than they are today.

—Reported by
Ann Blackman/Washington, Tom Curry/Chicago
and Edwin M. Reingold/Los Angeles

Science

Ultimate Gene Machine

A method of multiplying DNA is revolutionizing medical diagnosis, speeding forensic work and solving old mysteries

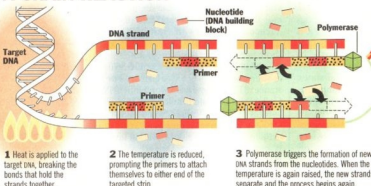
By J. MADELINE NASH CHICAGO

Imagine an amplifier powerful enough to convert the inaudible whir of butterfly wings into a mighty roar. That's what a new tool called PCR routinely does to the most infinitesimal snippets of DNA, the molecule that carries the genetic blueprint for all living things. Within the space of a few hours, an unprepossessing aluminum box stuffed with test tubes can create a billion copies of what started out as a single strip of DNA. A dividing cancer cell would take at least a month to perform the same stupendous feat. "This technique," marvels Dr. Harley Rotbart, a microbiologist at the University of Colorado School of Medicine, "can reproduce genetic material even more efficiently than nature."

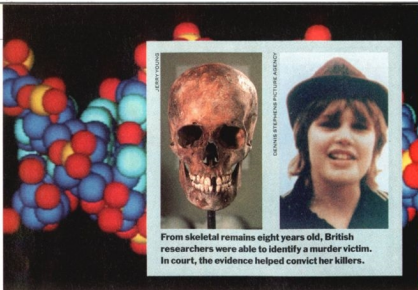
PCR stands for polymerase chain reaction, polymerase being the enzyme that triggers the replication of DNA inside dividing cells. All PCR does is reproduce, in a test tube, this basic biological process, turning it into a chain reaction that can be endlessly repeated by having a machine alternately raise and lower the temperature in the test tube. "The beauty of PCR is that it's technically so simple," observes cell biologist Peter Parham of Stanford University.

RECIPE FOR A CHAIN REACTION

To multiply a strip of genetic material, four ingredients are combined in a test tube: the **target DNA**; short strands of DNA called **primers**, which tag the section to be copied; **polymerase**, an enzyme that promotes gene replication in all living cells; and **nucleotides**, the building blocks for making DNA. The three steps can be repeated again and again by manipulating the temperature, a process that is automated by the PCR machine.



TIME Diagram by Steve Hart



From skeletal remains eight years old, British researchers were able to identify a murder victim. In court, the evidence helped convict her killers.

Since the first working machine was developed six years ago by a team of Cetus Corp. researchers, including biochemist Kary Mullis, PCR has enabled researchers to study even the faintest, most fragmentary traces of DNA found in specks of dried blood, strands of hair, chips of bone. In the journal *Nature* last week, for example, a team of British researchers recounted how they successfully identified a teenage murder victim from skeletal remains eight years old. First they extracted DNA from bone cells in the dead girl's femur. Then they obtained DNA from blood samples donated by the couple believed to be her parents. Using a PCR machine as their microscope, they went on to magnify and examine the unique genetic markers the dead girl shared with her parents. The evidence helped to convict two men of the crime earlier this year.

To date, PCR has been used to compare the DNA of extinct animals with their closest living relatives. It has assisted the U.S. military in identifying the remains of soldiers who died during Operation Desert Storm. It is beginning to help physicians detect small numbers of cancer cells circulating in the bloodstream and make prenatal diagnoses of genetic diseases such as sickle-cell anemia, as well as ensure better matches be-

tween organ donors and transplant recipients.

PCR may also soon aid scientists in solving a number of historical mysteries. Among them: whether the man who drowned in Argentina in 1979 really was Nazi war criminal Dr. Josef Mengele, and whether Abraham Lincoln suffered from Marfan's syndrome, an inherited disease characterized by gangly limbs, poor eyesight and a weak heart. "The applications of this technology are literally as wide as your imagination!" exclaims University of Virginia geneticist Dr. Thaddeus Kelly.

Among the areas where PCR is starting to make important inroads:

MEDICAL DIAGNOSTICS. Already PCR has begun to help physicians determine which babies born to AIDS-infected mothers also harbor the virus. Since all newborns carry their mother's antibodies whether or not they are actually infected, standard antibody tests are inconclusive. PCR, however, can home in on the minute quantities of viral DNA that may be present in only 1 out of 100,000 cells. A positive diagnosis means the baby can immediately begin therapy with AZT.

PCR-based diag-



A medical technician uses a PCR machine to determine if a blood sample contains genetic traces of the AIDS virus.



The technique could determine whether Lincoln had Marfan's syndrome.

single epithelial cell found in saliva can be traced back to the person who, say, licked a stamp on a letter bomb. In California's San Mateo County, charges against a man arrested and jailed for a brutal rape were dropped in 1988 after a PCR test showed he could not have been the attacker. A year later another man was arrested in another rape case. Not only did a DNA marker make him a suspect in the unsolved rape, but the victim's jewelry was found in his girlfriend's possession and his fingerprint matched one found on the victim's car. Result: a conviction.

EVOLUTIONARY BIOLOGY.

Thanks to PCR, it is now possible to extract badly degraded DNA sequences from ancient sources and enlarge them like photographic prints. Thus far, PCR has been used to examine minuscule fragments of DNA taken from the brain cells of humans buried 8,000 years ago in a Florida bog. Analysis of such DNA can shed light on the emigration patterns of ancient peoples and perhaps some of the diseases that afflicted them. The technique has also been used to

nostic tests are also under development for Lyme disease, tuberculosis and viral meningitis. Present tests for tuberculosis, which involve culturing and growing the bacteria, take up to a month to confirm a diagnosis. PCR can do the job in a few hours. Current tests are unable to distinguish viral meningitis quickly from the far more dangerous bacterial form of the disease, which is most common in infancy. As a result, all babies found to have meningitis are treated as if

they had the more lethal form. With a PCR diagnosis, those with viral meningitis could be spared unnecessary hospitalization and medication. "There is a big financial saving, a big emotional saving, and substantial reduction in risk to the baby," says Colorado's Rotbart, who is helping to develop the test.

FORENSIC SCIENCE. Amplified by PCR, the DNA in a single sperm cell can link a suspect to a rape victim. Theoretically, a

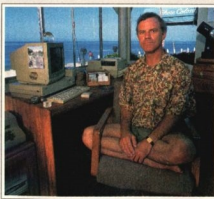
Last of the Great Tinkerers

The idea that would revolutionize biology flashed into the mind of a hippie-holdout biochemist during a midnight drive in 1983. While winding through the mountains of Northern California, Kary Mullis envisioned a way of easily copying a single fragment of DNA in a chain reaction that so surprised him, he pulled his Honda Civic off the road to admire the view in his mind's eye.

Mullis instantly recognized he had solved a problem that had fettered genetic research for decades: the fact that DNA samples are often too meager to work with. He turned to his girlfriend, also a biochemist, to explain his idea. "I thought this was a really cool invention that would make me famous," he recalls, "but she wasn't terribly thrilled about it."

She was wrong. The polymerase chain reaction has revolutionized biology and made Mullis famous, though it has not altered his oddball life. A scientific cross pollinator, Mullis, 46, may be the last of the great tinkerers. His passions include cosmology, mathematics, artificial intelligence, virology, chemistry, hallucinogenics, photography and women who are 10,000 days old. At that age, about 28, "they're like a ripe avocado," says the thrice-married inventor.

Other scientists call Mullis a genius, but he offers a more



Mullis the marvel: play is the thing

modest explanation for his endless creativity: a fervent desire to avoid drudgery and have more time to play. As a boy in South Carolina, he transformed parts from the family washing machine into an automatic door opener so that he could let the dog out each morning without leaving his bed. As an adult, he invented a system to dim lights simply by thinking erotic thoughts. Even PCR was an attempt to devise a less laborious way of copying DNA than the method used by living cells. "When I saw how nature does it, I thought, 'That's totally crazy,'" he says.

For his great invention, Mullis got nothing more than a one-time \$10,000 bonus from his former employer, Cetus. Today he works and lives out of rented rooms on a beach near San Diego. A consultant for biotech firms, he lectures and plays as much as he can. His latest game: photographing women wearing nothing but multicolored patterns of light. His ideas continue to bubble forth like an uncontrolled chemical reaction. He believes the AIDS virus alone cannot account for the epidemic. He wants to create a computer program that will trick the senses into believing they've landed in an amusement park as real as Disneyland. "Much of what Kary says is nonsense," says a friend. But sometimes what he says is so stunning that it may earn him a Nobel Prize.

examine DNA from animal skins in natural-history museums and from the frozen remains of woolly mammoths. Among the unresolved questions that PCR may eventually shed light on is whether the Neanderthals were an unsuccessful offshoot of the evolutionary tree or the direct ancestors of modern humans. It may also be able to unravel the mystery of what happened to the ancient Celts, who once populated most of Western Europe. "Now," says University of Leicester geneticist Alec Jeffreys, "there is a genetic time machine for looking back into the past."

Sometimes PCR is compared to a computer that speedily executes the most complex calculations. But its significance far exceeds a simple increase in efficiency and productivity. Like the radio telescope and the electron microscope, it represents an advance of a fundamental nature. Before PCR, scientists could not consider analyzing the DNA contained in a single cell, much less the degraded DNA recovered from dried blood or old bones. PCR, says Dr. Barry Eisenstein, chairman of the Department of Microbiology at the University of Michigan Medical School, "is enabling us to answer questions we only dreamed of five years ago."

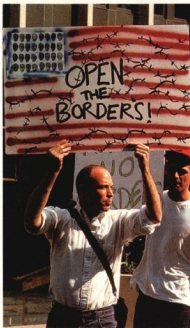
Ironically, the technology's biggest virtue is also its major drawback: it is so sensitive to tiny bits of DNA that even the most minute contamination of laboratory samples can lead to false results. This sometimes vexing problem, however, has not stopped the flow of creative and occasionally wild ideas about PCR's applications. Researchers at Hoffmann-La Roche Inc., which recently agreed to pay Cetus \$300 million for the rights to PCR, are interested in developing a whole series of DNA identification tags. To foil counterfeiting, for instance, everything from paper currency to designer jeans and compact discs might be laced with DNA markers. Oil carried in tankers and toxic chemicals carried in trucks might similarly be "branded" by molecules of synthetic DNA. With PCR, a spill of unknown origin could then be traced back to the responsible party.

Like many, Arthur Caplan, director of the Center for Biomedical Ethics at the University of Minnesota, believes that PCR will revolutionize everything from medicine and biology to anthropology and history. It is a prospect he finds both exhilarating and disturbing. Technically, it would be possible, by examining DNA samples from the descendants of Thomas Jefferson and those of his slave Sally Hemings, to determine once and for all whether Jefferson, as rumored, fathered some of Hemings' children. Would this be an appropriate use of the new technology? "Let me put it this way," says Caplan. "Because of PCR, I'm not worried about going out of the bioethics business anytime soon." —With reporting by Anne Constable/London and Andrew Purvis/New York

Medicine

Keeping the Door Closed

America's stubborn immigration restrictions could force the cancellation of next year's global AIDS conference



Gay activists demonstrate against the ban

Should foreign citizens who are infected with the AIDS virus be permitted to enter the U.S.? No, says the Justice Department, which has imposed a ban on such immigrants and travelers. Yes, says the Department of Health and Human Services (HHS), which has been lobbying to change that policy. Change it or else, says Harvard University, which is about to withdraw as host of next year's International AIDS Conference unless the ban is lifted. The annual conference, which draws thousands of scientists, is the key forum for researchers investigating the worldwide epidemic. "It's impossible to have a meeting dedicated to AIDS to which people with the disease can't come," declares Alan Fein of the Harvard AIDS Institute.

The battle over immigration policy is yet another AIDS-related issue in which the politics of emotion have overtaken the reign of reason. The wrangling began in 1987, when Senator Jesse Helms pushed through an amendment that added AIDS to the Immigration and Naturalization Service's list of dangerous and communicable diseases that may not be carried into the country. Currently, travelers are requested to complete a questionnaire that asks if they are infected; would-be immigrants must submit to a blood test.

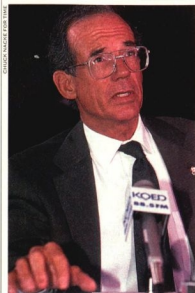
The International Red Cross, the National AIDS Commission and the World Health Organization all protested the policy, asserting that it was scientifically unjustified since AIDS is not highly contagious, unlike tuberculosis, syphilis and other diseases on the list. HHS Secretary Louis Sullivan has also pushed for removal of the ban.

But after a seven-month review, the Justice Department has refused to reverse its policy, though it has backed away from a medical justification and now says the ban is based on economic considerations. The concern, says a spokesman, is that the high cost of medical care would lead infected immigrants to become "public charges." Critics, including gay activists, complain that the government does not apply this sort of analysis to immigrants with heart disease or other expensive medical conditions. Nor has the department come up with a credible estimate of how many AIDS-infected immigrants are likely to seek entry: figures vary wildly from 500 a year to 6,000. The office of the Presidential Science Adviser has argued that "infections among immigrant aliens would represent a negligible increase in the infected pool."

Last week officials of the Justice and HHS departments were struggling to hammer out a compromise. The likely outcome would permit AIDS-infected foreign nationals into the U.S. for up to 30 days but require them to inform officials that they are carriers of the HIV virus. Another policy under consideration: permitting people with AIDS to immigrate if they can prove that they will not be an economic burden. In other words, the wealthy infirm would be waved through.

Harvard isn't buying such compromises. Any restriction on immigration or visas would be impermissible, officials there say. In addition, the disclosure requirement for a short-term visa, notes Fein, could put travelers at risk of losing their jobs or insurance and encountering other problems once they return home. Harvard is expected to announce next week its decision to withdraw as host of the June 1992 meeting.

Meanwhile, conference organizers are scrambling to find a city outside the U.S. with spare hotel rooms and meeting halls for 15,000 scientists. Laments John Osborn, who chairs the National Commission on AIDS: "Losing this kind of free exchange can cost investigators months of research time." —By Dick Thompson/Washington



Education

Putting the School First

Stanford's Donald Kennedy steps down gracefully in the wake of scandal

Perhaps nothing in Donald Kennedy's distinguished career became him like the leaving of it. Last week the Stanford University president took a step that has become all too rare in modern American life: he resigned with grace and dignity under pressure. His departure, effective at the end of the coming academic year, is the outgrowth of the festering scandal in which the university has been accused of overbilling the Federal Government as much as \$200 million for research expenses during the 1980s. But there was no smoking gun, no dramatic new revelation, no public ultimatum to prompt his surprise abdication after 11 years in office. Instead, as he explained at a valedictory press conference, "I'm the chief executive officer of the institution, and, as has been said, you bear responsibility when you have that job."

Responsibility has become a word almost un-American in its connotations. Japanese executives symbolically step down when the good name of their company becomes besmirched. But the American style is to gut it out stubbornly, blame overzealous subordinates or no one in particular ("Mistakes were made") and equate resignation with personal culpability. Kennedy, to be sure, had become the personification of the Stanford scandal;

"The Stanford family is an inclusive and nurturing congregation, and during the past months it has suffered. You must know that I have shared this pain in a very personal way."

the university's aggressive billing techniques had included calculating as research overhead such expenditures as the cost of sheets, flowers and antiques for the presidential residence. No one had accused Kennedy of personal gain or even knowledge about the accounting practices. Against this background, there was something admirable about Kennedy's conceding in his letter to the trustees, "It is very difficult, I have concluded, for a person identified with a problem to be the spokesman for its solution."

Until recently, Kennedy's style had been stiff-necked in the extreme. So far, Stanford has offered to return \$1.35 million to the government. Kennedy scoffed at resignation in interviews during Stanford's spring commencement. But six weeks of consultations and soul-searching convinced him of the folly of such a stubborn posture. As David Hamburg, a Stanford trustee and president of the Carnegie Corporation, put it, "He decided as a sort of symbol of the troubles, he'd better step aside, even though he loved the position and the university."

These days, perhaps only a masochist can fully enjoy the job of a university president. One of Kennedy's most far-reaching achievements—broadening the content of the required Western Culture courses to be more inclusive of women and minority writers—became a lightning rod for conservative attacks. Stanford faces a \$95 million deficit in its two-year budget, even if the university avoids being forced to make a major repayment to the government. Kennedy plans to spend the next year focusing on this financial crunch. Faced with austerity, faculty members have their own grievances, and some even complain of Kennedy's emphasis on undergraduate education at the expense of research. William Spicer, a professor of electrical engineering, grumbles, "Don Kennedy has truly lost the confidence of the faculty, and that being the case, everyone, including him, realized that it didn't make any sense to stay."

But that is precisely the point: Kennedy had the courage and vision to subordinate his ego for the good of the institution he nurtured. His high-minded leavetaking contains a lesson that should not be lost on Kennedy's counterparts in academia, business and government.

—By Walter Shapiro.
With reporting by Minal Hajratwala/New York and Robert Holts/San Francisco

Miscellany

UNTESTING, TESTING. In 1986, as a result of a lawsuit filed mostly by black parents, California banned the use of I.Q. tests to measure learning disabilities in black students on the grounds that they tended to be racially discriminatory. The upshot would have seemed quirky even in South Africa: the tests were permitted for all kids except blacks. One mother of a mixed-race son was told that he could not be tested because he was registered as a black; she was advised to reregister him as Hispanic. Now a suit to restore the tests has been filed by another set of parents of black students, who argue that barring their children from the test is racially discriminatory.

STAGE FRIGHT. The immigration law set to go into effect in October contains a minor provision causing major artistic anxiety: it limits to 25,000 a year the number of actors, musicians, models and athletes who can enter the U.S. to perform under temporary visas. Other oddities: applicants must be "internationally recognized" or "culturally unique" (whatever that means) and must have been with their group at least a year. The bill was pushed by organized labor to protect American jobs, but the tight limit (applied first come, first served) could instead assault American culture.

FRUIT LOOPY. Kids, Uncle Sam wants you to eat more fruit with your cereal! But if you're poor, you can't get them in the same box. The \$2.4 billion federal program that feeds 5 million needy children will not pay for cereal with more than six grams of sugar per serving. Kellogg protests that this excludes its Raisin Bran, because the sugar naturally contained in its raisins pushes it over the limit. So the kids eat mainly Cheerios and have to get their fruit separately.

ZACHARY TAYLOR BEWARE. When Ronald and Nancy Reagan decided they wanted to be buried on the grounds of his presidential library near Ventura, Calif., environmentalists objected that it would cause pollution. No, not of the toxic waste variety; the fuming was not that personal. It was alleged that additional tourists would cause the pollution. Local officials disagreed and approved the Reagans' request. The sites-in-waiting will be ready by the time the library is dedicated in November.

QUOTES OF THE WEEK:

"They're never going to believe this one."—James ("Whitey") Bulger, a well-known reputed Boston mobster, upon winning part of a \$14 million Massachusetts lottery jackpot.

"The only person that probably would have caused more trouble is if my mother had won."—state treasurer Joseph Malone, upon hearing the results.

Show Business

Pee-wee's Misadventure

A well-publicized arrest in Florida amounts to a very bad career move for the kiddie star

His hyperkinetic nerdiness was irresistible to millions of children. Pee-wee Herman was a grownup version of little brother: winsome, goofy, capable of saying dumb things and beatifically happy with the panorama of this world. When Pee-wee talked to inanimate objects, like chairs, they talked back, which, as everyone under 10 knows, is just what they are supposed to do. This man-boy with the tight suit, googly eyes and lipstick mouth was not every parent's cup of tea: add a leer and the little guy could pass for the emcee of a Berlin nightclub, circa 1935. But few had any qualms about their offspring spending time in his company: at the movies (*Pee-wee's Big Adventure*, *Big Top Pee-wee*) or watching *Pee-wee's Playhouse*, the Emmy Award-winning Saturday-morning TV show that has run on CBS since 1986.

The network canceled his series in April—the summer slot was to have been filled out with reruns—and last week Pee-wee was effectively slaughtered by bad publicity. The news got out that Paul Reubens, 39, the actor who created and played the Pee-wee character for more than 10 years, had been arrested in a Sarasota, Fla., porn-movie theater and charged with “exposure of sexual organs,” which translates as masturbating.

Through his publicist, Reubens de-



Pee-wee's goofy grin stands in sharp contrast to Reubens' somber mug shot

nied the accusation, but that little detail hardly registered among the seismic aftershocks of the original arrest. Reubens' mug shots made the front pages; heavy psychological hitters like Dr. Lee Salk and Dr. Joyce Brothers were enlisted to advise parents on what to tell the kids. The radio and TV airwaves were suddenly alive with Pee-wee jokes (His favorite baseball team? The Montreal Expos. His next television project? A remake of *Different Strokes*). CBS yanked the five remaining repeat episodes of *Pee-wee's Playhouse*, and the Disney-MGM Studios pulled a two-minute clip including Pee-wee that was being shown during back-

stage tours of its theme park in Orlando.

Courageous moves by these entertainment giants, no doubt protecting an unsuspecting public from... what exactly? The contumely heaped upon Pee-wee—while George Bush and Mikhail Gorbachev met in Moscow to reduce nuclear arsenals, and while severed human heads and scattered skeletal remains were being traced to a mass murderer in Milwaukee—can be seen as a trifle excessive. If Reubens is guilty of anything, it is of making a very bad career move. Solitary sexual acts performed in public, even in a darkened movie theater showing fare expressly designed to stimulate sexual acts, are a legal no-no. For people whose livelihood depends on public image, committing such deeds where those individuals are likely to be recognized carries a heavier penalty, which, in Reubens' case, seems to be a kangaroo court, public hanging and quick burial on TV boot hill.

Not everyone is happy about his execution. Peggy Charren, founder and president of Action for Children's Television in Cambridge, Mass., says the issue has been overblown in the press and criticizes CBS's rush to judgment: “It begins to smack of McCarthyism, where people were being pulled off the air before they were convicted of anything.” Perhaps the real crime, the one for which Reubens has been so relentlessly pilloried, was the successful pretense of childishness. The kids always knew he was playing, but, evidently, not many adults did. Ordinary show-business thugs and malefactors can get away with a lot, but God help the one who pretends to be innocent.

—By Paul Gray

Milestones

REPRIMAND. **Alfonse D'Amato**, 54, Republican U.S. Senator from New York; for acting “in an improper and inappropriate manner” by allowing his brother to use his office on behalf of the Long Island, N.Y., division of Unisys, a defense contractor; by the Senate Select Committee on Ethics; in Washington. After a 19-month inquiry, the committee announced that it had found no evidence that D'Amato acted illegally on behalf of Unisys in exchange for campaign contributions. It did not recommend any punishment by the full Senate. But, in issuing the harsh condemnation of a colleague, the committee faulted D'Amato for “failing to establish appropriate standards for the operation of his office.”

DIED. **William Ball**, 60, award-winning director and founder of the American Con-

servatory Theater; in Los Angeles. Launched in 1965 in Pittsburgh and moved to San Francisco in 1967, A.C.T. has earned a reputation as one of the nation's most creative nonprofit theaters. Ball's repertory performances and advanced training techniques nurtured actors' flamboyance through a variety of physical gestures, from boisterous laughter to karate. Among the plays he directed were *Tartuffe*, *Under Milk Wood* and *Tiny Alice*.

DIED. **Werner Henke**, 75, petroleum engineer and inventor; in Lafayette, La. He devised a system, now used worldwide, for removing many of the pollutants from the exhaust of industrial engines. In Southern California, where this technology is used, the regional air-quality agency ranks it as the finest system of its kind.

DIED. **Christian de la Croix de Castries**, 88, aristocratic French cavalry officer and brigadier general who doggedly defended but finally lost the Vietnam fortress of Dien Bien Phu in a grueling 57-day siege; in Paris. In 1954, after eight years of warfare between French and Viet Minh forces over military and colonial rule in Indochina, he led his 15,000 soldiers against a guerrilla force four times as large in the rain-drenched valley. Half his men were either killed or wounded in the bloodbath. While contemporaries hailed him as a national hero, historians have largely viewed his strategy of digging in against a superior force in an inhospitable environment as a blunder. The Dien Bien Phu defeat led directly to the signing of a truce agreement in Geneva that divided Vietnam into a communist north and pro-Western south.

Nature

Meter-Made Crusade

Zoos find a two-bit way to save tropical rain forests

Midway between the lair of the Bengal tigers and the stamping ground of the African elephants at the San Francisco Zoo is an attraction more commonly seen along city sidewalks: a parking meter. But drop a quarter in and you get a lot more than 30 minutes of parking time. When a donor turns the handle of the modified meter, a mechanical red-throated hummingbird flies across a jungle scene, signaling that the donation will be used to save a small plot of tropical rain forest.

The Conservation Meter was the brainchild of zookeeper Norman Gershenz, who came up with the notion while feeding the koalas one day. "It creates a link between the wild and what's going on in the city zoos," he says, and it offers zoogeers the opportunity to "do something immediately" for endangered habitats.

A vividly hued sign on the meter offers a sense of the impact of the coins, which go to La Amistad National Park in Costa Rica. Each hectare (2.5 acres) preserved, reads the sign, will save 500 butterflies, 200 orchids, 10,000 mushrooms, 20 frogs, half a parrot and a thousandth of a jaguar. The message seems to make a deep impression on budding environmentalists. "It's really neat," says Lily Lubin, 9, who persuaded her parents to part with some change. "It feels like every time I put a quarter in, I'm saving an animal's life."

A second conservation meter has popped up at the National Aquarium in Baltimore, and zoos and aquariums in more than 20 other cities, including Seattle and Philadelphia, have requested the machines, which were developed with financial backing from the Virginia-based Nature Conservancy. If each of the 1 million annual visitors to the San Francisco Zoo gave 25¢, the \$250,000 could purchase more than 800 hectares of rain forest. Nationwide, more than 120 million annual zoo visitors could save 100,000 hectares a year. Impressive though that sounds, it will take many more quarters to reverse the fate of the rain forests, which are disappearing at the rate of 20 hectares a minute.



Polly wants a coin

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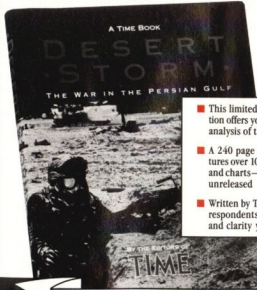
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Books

See How They Run

THREE BLIND MICE: HOW THE NETWORKS LOST THEIR WAY
by Ken Auletta; Random House; 656 pages; \$25

By RICHARD ZOGLIN

It was a grim day for CBS chief executive Laurence Tisch. News writers were on strike against his network; employees were up in arms over another round of layoffs; criticism in the press was mounting. Now, on this March morning in 1987, Tisch opened his New York Times to see an op-ed piece signed by none other than Dan Rather, bitterly attacking the Tisch-instigated news cutbacks. The Washington Post offered yet another litany of complaints

JOYCE KAVIN

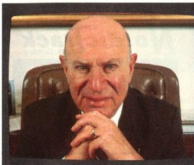
men; sat in on sales meetings and affiliate conferences; examined the workings of the TV business from Madison Avenue to Universal City.

Name a well-publicized episode over the past six years, and Auletta supplies the kind of detail that sources offer only when they know their accounts will not blow up in their faces in the next day's papers. What led to NBC News president Larry Grossman's downfall? Auletta traces it partly to a disastrous dinner party that Grossman gave on the night of the sixth game of the Mets-

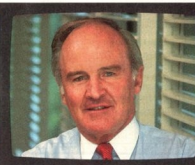
JOE MCNALLY

had never fired an employee before taking over CBS in 1986, is portrayed as a Wall Street trader with no strategic vision and few management skills. Tom Murphy, who engineered Capital Cities Communications' 1985 acquisition of ABC, is the hero of this tale by default. Though Cap Cities' no-frills style caused a rude culture shock at ABC, eventually Murphy proved to be the most humane and broadcast-savvy of the new network owners.

Yet each of the corporate top dogs had to go through the same learning curve. Contrary to what most people think, Auletta notes, a network is neither a giant production studio nor a grid of stations but simply "an office building, where executives package programs they do not own and sell them to advertisers and local stations they do not control." Trying to deal



Tisch sold off much of CBS and cut costs but revealed no long-term strategy or management philosophy.



Welch tried to recast NBC as an efficient GE division. His tactics: tough talk and management by insecurity.



Murphy altered the culture of ABC but won fans with his democratic touch and love of broadcasting.

from news staffers about the cost cutting.

"Unbelievable!" Tisch moaned on reading one charge, tossing his newspaper against the flowers that adorned his private dining table. To reports that some CBS News stars had offered to take salary cuts in order to save jobs, Tisch scoffed. "These are the biggest bunch of liars I've ever seen in my life!" His son Jimmy came into the office to commiserate. "Calm down, Dad," he pleaded.

Ken Auletta, a resourceful and very fortunate reporter, was sitting at breakfast with Tisch that morning. In fact, Auletta seems to have been practically everywhere he wanted to be over the past six years. He began researching *Three Blind Mice*, his exhaustive behind-the-scenes look at the three broadcast networks, just as they were entering the most turbulent phase in their history. Cable and other competitors were gaining power; network audiences were shrinking; new corporate owners, with a bottom-line orientation, were taking control. Through it all, Auletta was the proverbial fly on the wall. He talked regularly with the corporate chiefs as well as with network programmers and news anchor-

Red Sox World Series. (General Electric chairman Jack Welch, a rabid Red Sox fan, wanted to watch the game.) Why did Dan Rather walk off the set in September 1987, leaving six minutes of dead airtime on the CBS *Evening News*? Auletta's second-by-second account is more sympathetic to Rather than many others. There are fresh nuggets as well. ABC anchorman Peter Jennings, before signing a new contract in late 1987, was weighing an offer from CBS to become Rather's co-anchor. NBC president Robert Wright once suggested that stars like Bill Cosby and Don Johnson be used as hosts of news documentaries.

Even more impressive are the intimate glimpses Auletta provides of the men at the very top and his nuanced picture of the different corporate cultures they fostered. Welch, the brusque, combative chairman of GE, which took over NBC in 1986, treated the network as another GE unit to be whipped into shape. (Why, Welch wondered, was there so much agonizing over layoffs at NBC when hundreds of people were getting axed at GE's turbines division? "You think they're happy?" he snapped.) Tisch, the Loews chairman who

with these stations, advertisers and program producers (not to mention the *evening press*) startled, annoyed and ultimately chastened the corporate newcomers.

Auletta's book achieved a certain infamy long before it hit the bookstores. Jacob Weisberg used it as Exhibit A in a much discussed *New Republic* piece about the alleged decline of editing standards in book publishing. To be sure, Auletta's 600-plus-page account could use trimming. But his writing is never less than serviceable, and usually quite lucid. A bigger problem lies in the subject itself. Each of the episodes Auletta recounts—Tisch's fight to gain control of the CBS board, ABC News president Roone Arledge's battle to keep *20/20* on Thursdays at 10 p.m.—was once a hot topic in media circles. Today they seem more like questions for a 1980s edition of *Trivial Pursuit*. In his zest for detail, Auletta trudges dutifully through events that are now just so much TV-industry ephemera.

Still, if he is occasionally too fascinated by the trees, Auletta never loses sight of the forest. On a shelf overflowing with behind-the-scenes tomes and tell-all memoirs, his is the network book to beat. ■

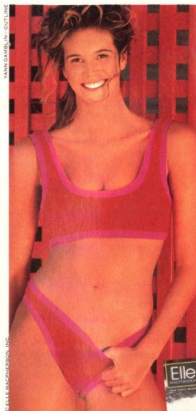
People

By ALEXANDER TRESNIEWSKI / Reported by Wendy Cole

Physically Correct

There are models, there are supermodels, and then there are supermodels who get their own calendar. The splashy 1992 wall offerings of two such fashion megastars, Elle Macpherson and Claudia Schiffer, are hitting the stores. For those who can get by with only one scintillating calendar, here's a handy comparison guide:

	ELLE	CLAUDIA
Price	\$13.95	\$10.95
Number of months	16	12
Number of photos	32	12
Topless photos	8	2
"Wow! Where's the swimsuit?" photos	6	2
Funky props	Surfboard Bicycle Camel	Pillow
Space for listing appointments?	Not much	Plenty
Recyclable paper?	Yes	Yes
Enticing message from model?	Yes	No
Mother-in-Law's Day marked?	Yes	No



"I wanted it to be sexy and commercial, yet still retain my dignity."



"I wanted it to be sexy, but in a nice, fresh, young way."

The Sultan of Sweat

"It's pretty sad when a person has to lose weight to play Babe Ruth," says **John Goodman**, the hefty actor best

known as Roseanne Barr's huggable TV husband. Goodman worked off 60 lbs., spent five months learning to bat and throw left-handed, and then sat through as many as two hours of makeup a day to portray the legendary slugger during a 20-year period. *The Babe*, due next year, is the actor's first dramatic starring film role, and word from the just wrapped movie was that Goodman's transformation into the Bambino was positively Ruthian. "The Babe lived life full out," says Goodman. "Everything he did was big."



Where She's Going

In one of **BARBARA BRANDON's** cartoon strips, a woman marvels that she can still become "the first black something." That's how Brandon feels about becoming the first nationally syndicated black female cartoonist. "I'm pleased, but I'm also disturbed that it's taken so long," says Brandon, 32, whose sassy, street-smart *Where I'm Coming From* explores the lives of seven outspoken women. "Years from now, I'd like people to read these strips and see what we were going through."



Theater

Come to the Cabaret!

In New York City and around the country, you can have dinner, sing along, join a conga line, judge a beauty contest, be a murder suspect . . . and see a play

By RICHARD CORLISS

New York City restaurant tips you won't find in any New York restaurant guide:

1) For the finest beef kabob in a three-block radius, try the Asian Appetizers at Freddy's Song of Singapore Cafe. 2) At Steve McGraw's, munch on Jin's '50s-style Rice Krispie Treats. You'll go snap crackle *doo-wop!* 3) The barbecued chicken is tangy at the Blue Angel, a stone's throw from Times Square. 4) Sip an over-size Manhattan—the cocktail of choice for sophisticated Gothamites—at Theater East. 5) Adam's Apple offers salad, shrimp, chicken and ice cream—cafeteria food at its most authentic! 6) At the Village Gate, savor the gooey goodness of the Fluffernutter sandwiches, just like Mom used to make—in a brown paper bag.

Oh, and not at all by the way, they also serve theater at these bistros and boîtes. It's the latest, cheeriest and, for the consumer, most economical show-biz trend: Silly Cabaret. How silly? Audiences get to be part of the foolishness. They can join a conga line at *Song of Singapore* (1), play *Heart and Soul* with the nerdy vocal quartet in *Forever Plaid* (2), be a beauty-contest judge at *Pageant* (3), hum along at *Forbidden Broadway 1991½* (4), be a suspect in the whodunit plot at a Hasselfree murder mystery (5) or stand to recite the Pledge of Allegiance at *Prom Queens Unchained* (6). For warm-weather theatergoers in search of an easy evening out, the shows provide organized fun with a hip parodic wink—a blend of summer camp and . . . summer camp.

To catch participatory theater, players needn't come to New York. It's in venues around the country. *Tamara*, the

Canadian play that leads audiences on a chase through a villa in pursuit of sex and intrigue, is the longest-running show in Los Angeles history (seven years); it also did a 2½-year stint in Manhattan. *Shear Madness*, a mystery comedy in which audience members give suspects the third degree, has run in Boston for 11 years, Chicago for nine and Washington for three. San Diego, Houston, Miami and Philadelphia all boast dine-and-deduce thrillers. In *Tony n' Tina's Wedding*, revelers trek from a marriage ceremony at a real church to a contentious reception at a nearby restaurant. The play, in its fourth year in New York, has mounted productions in five other cities. A similar show, *Frankie and Angie Get Married*, is a solid Atlanta hit.

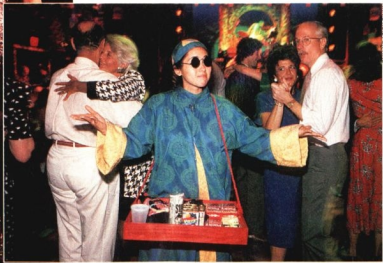
New York, though, is cabaret Mecca these days—a ripe satisfaction for the creators, some of whom toiled five or six years to put on their show. *Forever Plaid*, a year old, has built a coterie of fans; President Bush's brother Jonathan has seen the show seven times and held his birthday party there. "It's no longer enough to go to the theater and just sit and stare," says Jonathan Scharer, producer of *Pageant* and *Forbidden Broadway*. "People have more fun when they can have a drink and relax, cool off and feel comfortable."

Not all the New York shows provide classic entertainment. *Prom Queens* is a way-too-familiar pastiche of '50s high school intrigue and sci-fi frissons; it plays like *Little*



SONG OF SINGAPORE

Onstage: sleeky chanteuse Donna Murphy jazes it up with Michael ("Freddy") Garin. Just for fun: a cigarette girl snakes her way through the audience on the dance floor.



Shop of Grease. Hasselfree's *The Edge of the Knife*, with a soap-opera setting, gets most of its humor from the audience; participants are asked to guess the murderer's identity and motive. A bit higher up the food chain, *Forever Plaid* uses the singers' plangent harmonies to camouflage a thin book. And you need a doctorate in Broadway shows and lore to get all the jokes in the new edition of *Forbidden Broadway*—but for insiders, and good guessers, the musical malice has its own witty thrill.

At the very least, theatergoers get an inexpensive night out: food-and-entertainment packages range from \$33 (*Prom Queens*) to \$75 (*Tony n' Tina's* top). At best, as in *Song of Singapore* and *Pageant*, audiences are reminded of theater's power to create a world out of song and shadow—to offer circus and stage, nightclub and Kiwanis Club, in one beguiling bundle.

And what could be more entrancing than the six beauties in *Pageant*? They are finalists in the Miss Glamouresse contest, emceed by Frankie Cavalier (J.T. Cromwell), a showman with hilarious hair and dimples divine. The young ladies perform in swimsuit and talent competitions; Miss Bible Belt (Randi Ash), whose "hobbies include prayer and fasting," sings the rafter-raising hymn *Bankin' on Jesus* and speaks in tongues. The contestants also hawk the new Glamouresse products: Lip Snack, a beauty and food aid

("the prettiest protein you'll ever eat"); Smooth-as-Marble Facial Spackle, for the large-pored gal; and the environmentally correct Hair Aware with Air Repair ("in a virtually asbestos-free canister"). But the goal of these living Barbie dolls is higher than mere commerce. They are embodying a woman's unique role: to look beautiful "so the world is a better place and men have something nice to look at while they run it."

The contestants are nice to look at—knockouts, a couple of them. They are also played by men. This twist gives the burlesque a weird glow and cues some wonderfully precise writing and acting. *Pageant*, conceived and directed by Robert Longbottom, never degenerates into drag queens unchained. Like Miss Industrial Northeast (Joe Joyce), who roller-skates while playing the *Sabre Dance* on her accordion, the show is perfectly poised on the precipice of farce. And like Miss West Coast (John Salvatore), who performs an interpretive dance called "The Seven Ages of Me," *Pageant* is all about ego and the denial of self—about the eagerness of Americans to let others, even a cosmetics manufacturer, define what will make them feel lovelier and more loved. It is also the funniest spectacle in or outside a cabaret.

And *Song of Singapore* is the most gorgeous. Even the lobby is exotic: red lacquer

walls, Oriental screen and chandelier. You climb a flight of stairs and are greeted by a hostess, statuesque in a turquoise mandarin-collar dress. Then you enter a cavernous hall, festooned with birdcages and red lanterns. It is December 1941 and this is Freddy's Song of Singapore Cafe, and the dance floor in front of the bandstand is crowded with couples. Other patrons sit at the surrounding tables, drinking "Singapore libations" or ordering a light dinner. A photographer, PRESS card stuck in the band of her fedora, snaps your picture. Everyone, young and old, is living it up. The show hasn't started and already there's more dazzle and camaraderie than at a \$100-a-seat Broadway behemoth.

The show (held in a Polish Army Veterans meeting hall voluptuously reimaged by designer John Lee Beatty) is as handsome as its setting. Forget the plot—we have—about stolen jewels and an amnesiac chanteuse. As directed by A.J. Antoon, *Singapore* is all deft showmanship. Its songs are joyous evocations of razzmatazz jazz; its jokes propel the story and tickle the customers; its actor-musicians seem a true ensemble, guys who have gigged together for years and are having too much fun to stop. (No surprise here: three of them are writer-performers who have been developing the show since 1983.) And as the dazed chanteuse, charismatic Donna Murphy exudes a Rita Hayworth musk through a Sarah Vaughan voice. In her we have seen the '40s afresh, and we are in love.

Bankrolled at \$1 million, *Song of Singapore* is the most lavish of the new shows. But it earns your money, as does the more modest *Pageant*, by expending ingenuity. It demolishes the imaginary fourth wall—the one that separates movie and TV viewers from the action on the screen—with comedy, atmosphere, music, magic.

Theatergoers of the world, delight! Take a fast boat to New York and a taxi to *Singapore*. Drinks are on us. —Reported by William Tynan/New York, with other bureaus

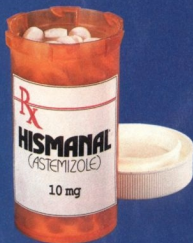
PAGEANT

Onstage: smiling through their tears, three beauties pay homage to the new Miss Glamouresse. Just for fun: audience members chosen as judges render their verdict—by the numbers.



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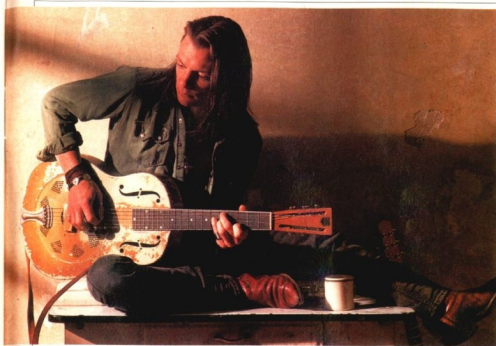
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	Controlled Studies		
	Historical (n=633)	Placebo (n=1108)	Classical** (n=104)
Central Nervous System			
Drowsiness	7.1	6.4	22.0
Headache	6.7	9.7	3.3
Fatigue	4.2	1.6	11.8
Appetite increase	1.9	1.4	2.0
Weight increase	3.6	0.7	1.0
Nervousness	2.1	1.2	6.3
Dizzy	2.0	1.8	1.0
Gastrointestinal System			
Nausea	2.5	2.9	1.3
Diarrhea	1.8	2.0	0.7
Abdominal pain	1.4	1.2	0.7
Eye, Ear, Nose, and Throat			
Mouth dry	5.2	3.8	7.9
Pharyngitis	1.7	2.3	0.7
Conjunctivitis	1.2	1.2	0.7
Other			
Allergias	1.2	1.6	0.0

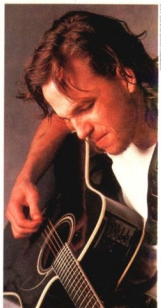
11/05/2012

The New Troubadours

The lyrics are the showpieces for the new troubadours. Thompson has heavy chops as an instrumentalist; the others, in varying degrees, just use their guitars as a way to put the song across. McMurtry, 29, even has a little trouble keeping his voice in gear, but it does not greatly matter. His acerbic yet compassionate chronicles of life on the thin edge, where country folk move to the fringes of the big city and start to fall apart like so many patches in a crazy quilt, owe a spiritual debt to the work of his novelist father Larry. James, who is based in Austin, has a terrific second album, *Candyland* (Columbia), likely to be released by the end of the year, but he warns that he has "about used



Whitley: a life story that makes him sound like a ramblin' man, '90s style



McMurtry, Massey, Himmelman: a sudden flowing of reflective songwriting

up all my old scrap pile. You get tired of writing about the same place and you have to move on." After deciding to get serious about songwriting, he almost pulled up stakes and moved on to Nashville a few years back. But his father, working on a screenplay with John Cougar Mellencamp, got his collaborator to play James' demo tape. Mellencamp offered to produce his debut album, and McMurtry, and his roots, stayed put, where they could be nurtured.

There is a certain kind of open emotion

required for all music of this kind, which can clash with the macho posturings required of most male pop stars. That could be why the singer-songwriter torch has been borne lately most noticeably by women—Rickie Lee Jones, Bonnie Raitt, Toni Childs, Tracy Chapman—who according to show-biz cliché are usually expected to wear their hearts on their guitars.

If this group of troubadours is confounding such stereotypes, it is also playing into some expectations. Whitley has a pho-

togenic scruffiness and a life story that makes him sound the prototypical ramblin' man, '90s style. "My parents were kind of ... bohemian isn't the right word," he says. "But it was the '60s, they were into acid and getting stoned." His father was a mechanic who became a Madison Avenue art director; his mother was a sculptor who took the kids to Mexico, then finally roosted in a Vermont hunting cabin "with wood heat, no hot water and an outhouse." Whitley himself spent much of the '80s in Belgium. Sounds like material enough for half a dozen records right there.

Brady is looking at his breakthrough year. He wrote two songs on Raitt's brand new *Luck of the Draw*, including the title track; and she returns the favor by singing lead and background on the title track from Brady's own *Trick or Treat* (Fontana/Mercury), which may well be the prize work in this very fine bunch. Brady's solo career as a songwriter began more than a decade ago; before that he had been known as a reinterpreter of traditional Irish music. After his fourth solo record, in 1988, followed the usual pattern—critical accolades, cult status, stubbornly low profile—"I decided to take a year off" to work out the key question: "whether I actually wanted to go on making records and trying to have major success in the mainstream. A lot of the songs on *Trick or Treat* reflect what I was going through. They're songs about looking for something, looking for a sense of what you should be doing, about facing up to the fact that you may never find out."

More than the music itself, which ranges from Himmelman's slightly mystical lyricism to Brady's graceful rock to the saw-toothed blues riffs that Whitley lays down, this may be what unites the work of this burgeoning group, even as the mainstream comes within hailing distance. There is nothing refined or settled in any of this music. Look elsewhere for something that placates. Every one of these songs is a wound that goes unhealed, a question that stays open.

—Reported by

Elizabeth L. Bland/New York



Essay

Michael Kinsley

Judges, Democracy And Natural Law

Though people on both sides deplore them, these annual summer brawls over Supreme Court nominees can be valuable exercises in civic education. The Robert Borkathon of 1987 forced millions of Americans to think about the role of a constitution in a democracy: the proper way to interpret 200-year-old phrases, the conflict between majority rule and individual freedom, and so on.

This summer President Bush's nomination of Clarence Thomas has unexpectedly plunged the nation even deeper into the pool of first principles. America finds itself debating natural law. An enthusiasm for something called "natural law" is one of the repeated themes in Thomas' slim collection of writings and speeches. What he means by natural law and what uses he would put it to as a life-tenured Supreme Court Justice are not clear. This justifiably alarms some people, who are worried that "natural law" could become an excuse for a conservative judge to impose his political agenda—just as conservatives have accused liberal judges of using "privacy" to do the same thing.

In fact, though, the two questions can be separated. Is there something called natural law? And is it a legitimate basis for judges to overrule the wishes of the majority as expressed in laws of a less exalted sort?

At this point in American history, the answer to the first question is beyond challenge. Yes, as far as the U.S. is concerned, natural law exists. The "Laws of Nature" are right there in the first sentence of the Declaration of Independence. The second and most famous sentence provides a perfect definition of natural law: human beings are "endowed by their Creator with certain inalienable Rights," including "Life, Liberty and the pursuit of Happiness."

Where do these rights come from? Some may have trouble with the concept of a divine creator. Others may find it overly metaphysical to insist that every human being has these rights in

a world where most people are patently unfree to exercise them. But few can doubt that life, liberty and the pursuit of happiness are what a civilized society ought to strive to provide its members. As the Declaration says, that is the reason "Governments are instituted." It is "self-evident." That's good enough for me.

But just because rights exist, this does not mean it is the role of judges to enforce them. The institution of judicial review—the power of unelected judges to overrule the democratic branches of government—is a funny business. Judges do not have that power in other major democracies, and it is not explicitly authorized in the U.S. Constitution. It emerges, rather, from the structure of our government. As Justice John Marshall first reasoned in *Marbury vs. Madison* (1803): faced with a conflict between a law and a constitutional provision, judges must honor the Constitution. All government officials should do the same. The Supreme Court's interpretation of the Constitution is definitive only because procedurally it comes last.

The Constitution lists certain rights, and others (such as the right to vote) are implied in the structure of government it sets up. But nothing in the constitutional structure of the government gives the Supreme Court authority to overrule the other branches on the basis of unwritten natural law. Judicial review, a bold claim at first, is now so well established that we've come to feel that a right doesn't exist unless a judge can enforce it. But enforcing a right means interpreting it, and exclusive power to interpret a concept as vague as natural law should not be given to the unelected branch of government. The job of protecting our nonconstitutional rights belongs to those who most directly "deriv[e] their just powers from the consent of the governed," as the Declaration has it: elected officials.

The Declaration speaks of "Life, Liberty and the pursuit of Happiness." The Constitution refers more prosaically to "life, liberty, or property." It's an illuminating difference. Furthermore, the Constitution does not guarantee these values in absolute terms. It protects them only from deprivation by the government itself, and even in that regard it promises only procedural fairness and equal treatment. The authors were surely wise to narrow the focus. What would be left of democracy if judges could roam the landscape striking down anything that—in their opinion—interfered with somebody's pursuit of happiness?

All this is not to say that natural-law concepts have no role to play in constitutional interpretation. Many people, for example, find it hard to understand why freedom of speech must be extended to Nazis and others who do not believe in free speech themselves and would deny it to others if they could. The answer is that the Bill of Rights is based on the theory of natural law, not on the alternative theory of a social contract. You are entitled to these rights simply because you are a human being, not because you have agreed, literally or metaphorically, to honor them.

Majestic phrases like "due process of law" require parsing. Even the strictest constructionists would accept that the natural-law thinking of the 18th century is useful in divining the framers' "original intent."

Some enthusiasts see the Ninth Amendment—which provides that the list of rights in the Constitution "shall not be construed to deny or disparage others retained by the people"—as a direct incorporation of natural law. The fact that these enthusiasts include would-be judicial activists of both the left and the right ought to dim the enthusiasm of both groups. The point is that the people do have rights not derived from the Constitution—natural rights, if you will—but judges have no special authority to enforce those rights.

Clarence Thomas may well be claiming no special authority for judges when he invokes natural law and natural rights. In that case, there is no problem. If he has more ambitious notions, there is a serious problem. And the fact that liberal Justices may have had overreaching notions of their own in the past is mere irony.

Proving grounds.



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